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Annual report on the administration of criminal justice in the Punjab, 1895.

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FROM

A. E. MARTINEAU, ESQUIRE, C.S.,

Officiating Registrar, Chief Court, Punjab,

To

H. C. FANSHAWE, ESQUIRE, C.S.,

Chief Secretary to Government, Punjab.

Dated LAHORE, *the* 22*nd July* 1896.

SIR,

Annual Report on Criminal Justice submitted.

I am directed by the Judges to submit their Annual Report on the Administration of Criminal Justice in the Punjab during the year 1895, together with the usual statements.

PART I.—ORIGINAL JURISDICTION.

A.—GENERAL REVIEW OF OFFENCES COMMITTED AND BROUGHT TO TRIAL.

Offences reported, admitted to have occurred, and brought to trial, respectively.

2. The following table shows the number of offences reported, the number which may be taken to have occurred, and the number of cases and persons brought to trial during each of the past five years :—

1	2	3	4	5	6	7	8
Nature of offences.	Year.	Offences reported.	Complaints summarily dismissed.	Offences struck off the register on the application of the police.	Offences admitted to have occurred.	Cases brought to trial.	Persons brought to trial.
Offences under the Indian Penal Code ...	1891	127,180	45,398	2,461	79,321	58,105	126,942
	1892	126,251	42,363	3,009	80,879	58,555	131,270
	1893	126,585	43,179	3,708	79,698	59,233	131,499
	1894	129,278	45,524	3,779	79,970	59,793	136,501
	1895	138,459	48,596	3,850	86,013	64,431	149,144
Offences under Local and Special Laws ...	1891	38,169	5,222	55	32,892	31,978	62,461
	1892	43,891	6,039	101	37,751	36,840	68,505
	1893	43,011	6,425	186	36,400	35,211	67,500
	1894	42,889	6,304	117	36,468	35,383	68,313
	1895	45,601	6,531	167	38,903	37,643	73,859
Total	1891	165,349	50,620	2,516	112,213	90,083	189,403
	1892	170,142	48,402	3,110	118,630	95,395	199,775
	1893	169,596	49,604	3,894	116,098	94,444	198,999
	1894	172,162	51,828	3,896	116,438	95,176	204,814
	1895	184,060	55,127	4,017	124,916	102,074	223,003

Variations in reported crime noticed.

3. The number of offences reported during the year 1895 was 184,060, which is greater than the number reported in any of the past eight years, and exceeds the figure for 1894 by 11,898.

The average annual number of offences reported for the past five years 1891-95 was 172,261; the number in the year 1895 was thus 11,799 above the average.

The increase represents about 7 per cent on the average and on the number reported in 1894.

In regard to offences falling under the Indian Penal Code, the number reported is greater than in the year 1894 by 9,186 offences, and exceeds the quinquennial average by 8,870. An examination of the figures for reported

District	Average, 1891-95.			1895.		
	Offences returned as true.	Cases brought to trial.	Percentage of cases brought to trial to offences returned as true.	Offences returned as true.	Cases brought to trial	Percentage of cases brought to trial to offences returned as true.
Delhi	3,401	3,160	92	4,239	3,817	90
Gurgáon	2,311	2,011	87	2,848	2,503	87
Rohtak	1,674	1,521	90	1,834	1,732	94
Karnál	2,514	2,145	85	3,178	2,746	86
Umballa	4,529	3,657	80	5,565	4,478	80
Ludhiána	4,332	3,444	79	4,429	3,487	78
Simla	3,363	3,154	93	3,421	3,229	94
Jullundur	4,649	3,884	83	4,158	3,470	83
Hoshiárpur	3,860	2,904	75	4,470	3,267	73
Kángra	3,143	2,667	84	3,335	2,508	75
Amritsar	5,236	3,974	75	6,000	4,421	73
Gurdáspur	4,645	3,517	75	4,922	3,555	72
Siálkot	6,209	4,343	69	5,379	3,712	69
Gujránwála	4,277	2,616	61	4,280	2,630	61
Lahore	7,890	6,546	84	7,618	6,751	88
Ferozepore	6,468	4,877	75	7,660	6,075	79
Hissár	2,951	2,610	88	3,565	3,199	89
Mooltan	4,900	4,221	86	5,043	4,395	87
Jhang	2,498	1,933	77	3,263	2,229	68
Montgomery	1,934	1,789	92	2,112	2,112	100
Muzaffargarh	2,872	2,357	82	2,870	2,428	84
Jhelum	3,183	2,744	86	3,587	3,202	89
Gujrát	3,174	2,088	65	3,287	1,825	55
Shahpur	3,008	2,348	78	3,250	2,545	78
Ráwalpindi	7,298	6,420	87	6,304	6,304	100
Dera Ismail Khan ...	2,243	1,768	74	2,843	2,447	85
Dera Gházi Khan ...	2,639	2,099	79	2,981	2,342	78
Bannu	3,423	2,828	82	3,074	2,616	85
Pesháwar	4,706	4,080	86	5,002	4,297	81
Hazára	1,969	1,664	84	2,292	1,949	85
Kohát	2,360	2,066	87	2,107	1,908	90
Total ...	117,659	95,434	81	124,916	102,074	81

Remarks on the above statement

7. The number of offences returned as true, namely, 124,916, represents about six offences per thousand of the population. In the Simla district, owing to local peculiarities, the proportion was 76 per *mille*. The next highest figure is found in the Kohát district with 10 offences per *mille*; the lowest is three offences per *mille* in the Rohtak district.

The percentage of cases brought to trial to offences returned as true is very low in the Gujrát district, *viz.*, 55 per cent. The low percentage in that district was noticed also in the report for 1894. The remarks of the Sessions Judge of Jhelum on the figures for Gujrát are given at page vi of the Appendix. There would appear to have been a large increase in the number of false complaints instituted. The Sessions Judge also comes to the conclusion that the working of the police in the Gujrát district has not been altogether satisfactory.

In the Gujránwála district also the percentage is low, namely, 61, as compared with 62 in the year 1894. This low percentage is attributed to the large number of recklessly exaggerated or absolutely false complaints that are preferred to Magistrates, and also, though in less degree, to the unsatisfactory working of the police.

In Jhang the percentage fell from 78 to 68 per cent. The District Magistrate says:—"The difficulties with which prosecutions have to contend in "this backward district are many. The distances are vast, the population is

"to a great extent nomadic, and it is unusually difficult to procure evidence in "the Chenáb colony, where in many quarters people have not yet permanently "settled; and on the canal works, where the labour employed consists mostly "of a medley of outsiders from other districts, the detection and arrest of "offenders is no easy matter."

In the Montgomery and Ráwalpindi districts every true offence is shown as having been brought to trial, a result which cannot be accepted with confidence.

Cases and persons tried. Proportion resulting in conviction.

8. The average number of cases and persons, respectively, brought to trial each year, taking the figures for the year 1893-95, is 97,231 cases and 208,936 persons; the average numbers of cases in which a conviction was obtained and of persons convicted stand at 45,497 and 74,909, respectively. The actual figures for the year under report were—

102,074 cases brought to trial.
223,003 persons ditto.
46,560 cases in which a conviction was obtained.
77,373 persons convicted.

The proportion was thus 45 per cent of cases in which a conviction was obtained and 34 per cent of persons convicted as against 46 and 35 per cent, respectively, in 1894. The working for the year under report cannot be said to have been satisfactory. The percentages have been steadily falling since 1892, in which year they were 51 and 47, respectively. The average percentages for three years were 46 and 35, respectively. The following table shows figures under these heads for each district:—

District.	Average, 1893-95.						1895.					
	Brought to trial.		Convicted.		Percentage.		Brought to trial.		Convicted.		Percentage.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
Delhi	3,106	5,798	1,436	1,882	46	33	3,817	6,404	1,953	2,364	51	36
Gurgáon	2,356	4,911	1,172	1,638	50	33	2,503	4,921	1,270	1,685	50	34
Rohtak	1,602	3,438	792	1,343	49	39	1,732	3,669	1,019	1,673	59	46
Karnál	2,365	4,799	1,244	1,769	53	37	2,746	5,574	1,476	1,995	54	36
Umballa	3,875	8,491	1,702	2,950	44	35	4,478	10,199	1,909	3,405	43	33
Ludhiána	3,513	8,078	1,220	2,263	35	28	3,487	7,837	1,455	2,507	42	32
Simla	3,397	4,714	2,793	3,771	82	80	3,220	4,761	2,635	3,752	82	79
Jullundur	3,689	8,591	1,387	2,475	38	29	3,470	8,499	1,008	1,886	29	22
Hoshiárpur	2,967	7,164	894	1,526	30	21	3,267	7,706	934	1,507	29	20
Kángra	2,630	5,364	943	1,599	36	30	2,508	4,989	847	1,331	34	27
Amritsar	3,999	7,817	1,541	2,220	31	28	4,421	9,128	1,456	2,155	33	24
Gurdáspur	3,505	7,780	1,202	1,888	36	24	3,555	7,069	1,155	1,692	32	22
Siálkot	4,035	8,647	1,844	2,972	46	34	3,712	8,220	1,497	2,250	40	27
Gujránwála	2,693	5,818	1,122	1,820	42	31	2,630	5,782	942	1,565	36	27
Lahore	6,379	12,854	2,960	4,052	46	32	6,751	13,863	2,993	3,843	44	28
Ferozepore	5,147	11,129	1,985	3,395	39	30	6,075	13,379	2,373	4,175	39	31
Hissár	2,982	5,313	1,775	2,465	60	46	3,199	5,922	1,636	2,267	51	38
Mooltan	4,311	8,687	2,143	2,997	50	34	4,395	8,954	2,161	3,035	49	34
Jhang	2,180	4,217	1,078	1,392	49	33	2,229	4,584	937	1,305	42	28
Montgomery	1,874	3,923	934	1,476	50	38	2,112	4,263	1,089	1,571	52	37
Muzaffargarh	2,444	4,081	1,347	1,840	55	45	2,423	4,260	1,231	1,755	50	41
Jhelum	2,911	7,820	1,095	2,929	38	37	3,202	8,893	1,230	3,641	38	40
Gujrát	1,904	6,300	899	1,655	47	26	1,825	6,638	846	1,601	46	24
Shahpur	2,363	4,713	1,344	2,099	57	45	2,545	5,218	1,406	2,154	57	41
Ráwalpindi	6,446	14,137	3,100	5,606	48	40	6,304	14,895	3,120	6,236	49	42
Dera Ismail Khan ...	2,047	4,326	999	1,644	49	38	2,447	5,074	1,199	1,887	49	36
Dera Gházi Khan ...	2,053	3,989	1,091	1,841	53	46	2,342	4,359	1,300	2,23	55	51
Bannu	2,601	6,970	1,109	2,491	43	36	2,516	6,718	1,090	2,419	43	36
Pesháwar	4,177	10,217	2,283	4,677	55	46	4,297	10,639	2,225	4,715	52	44
Hazára	1,569	4,054	731	1,549	47	38	1,949	4,812	959	1,891	49	39
Kohát	2,022	4,797	1,247	2,685	62	56	1,908	5,084	1,209	2,910	63	57
Total	97,231	208,936	45,497	74,909	46	35	102074	223,003	46,560	77,373	45	34

Districts in which the working appears to have been unfavourable.

9. The percentage of cases in which a conviction was obtained to those brought to trial was very unsatisfactory in—

Jullundur	29
Hoshiárpur	29
Gurdáspur	32
Amritsar	33
Kángra	34
Gujránwála	36

The percentage of persons convicted to those brought to trial was very unsatisfactory in—

Hoshiárpur	20
Jullundur	22
Gurdáspur	22
Gujrát	24
Amritsar	24
Kángra	27
Siálkot	27
Gujránwála	27
Lahore	28
Jhang	28

B.—Offences Classified.

Main classification of offences into offences falling under the Indian Penal Code, and offences falling under Local and Special Laws.

10. Of the total number of offences reported in the year 1895, 75 per cent were offences falling under the Indian Penal Code, and 25 per cent were offences falling under Local and Special Laws. The percentages are the same as in the two previous years. About 38 per cent of the offences reported under the Indian Penal Code were thrown out *in limine* as against 40 per cent in the year 1894. The percentage thrown out *in limine* of cases falling under the Local and Special Laws was the same as in the two preceding years, namely, 15.

There were 86,013 offences under the Indian Penal Code, and 38,903 offences under Local and Special Laws, which may be taken to have occurred, being 70 and 30 per cent, respectively, of the whole number shown as true. In the preceding year the percentages were 69 and 31, respectively.

Offences falling under the Indian Penal Code classified.

11. The following table shows offences falling under the Indian Penal Code which are admitted to have occurred, classified according to the main heads of crime. The figures are for five years, and also show the number of cases brought to trial, the number of persons disposed of, the number of persons convicted, and the proportion of persons convicted to those tried, in regard to each of the two past years:—

1	2					3	4		5		6		7	
Description of offence.	Number of offences admitted to have occurred during					Percentage of increase or decrease on 1894.	Number of cases brought to trial.		Persons disposed of.		Persons convicted		Percentage of persons convicted to those tried.	
	1891.	1892	1893.	1894.	1895.		1894.	1895.	1894.	1895.	1894.	1895	1894.	1895.
Offences against the State, Chapter VI of the Indian Penal Code	2	1	2	...	...	...	..	...	...	....	..	...	...	...
Do. relating to the army and navy ... Chapter VII ...	6	2	...	1	...	...	1	1	1	3	...	...	...	...
Do. against the public tranquillity ... „ VIII ...	769	816	789	868	903	+ 14	840	918	6,058	6,504	3,321	3,533	54	54
Do. by or relating to public servants ... „ IX ...	142	179	149	141	187	+ 32	131	190	176	263	50	57	28	21
Contempts of the lawful authority of public servants. „ X ...	891	905	932	891	934	+ 4	838	912	1,733	1,891	864	847	49	44
False evidence and offences against public justice, „ XI ...	1,269	1,338	1,417	1,383	1,491	+ 7	1,381	1,474	2,001	2,018	884	947	44	46
Offences relating to coin and Government stamps, „ XII ...	175	151	149	121	131	+ 8	116	122	137	149	84	85	61	60
Do. do. to weights and measures ... „ XIII ...	83	63	41	102	42	— 58	103	44	125	61	70	27	56	44
Do. affecting the public health, safety, convenience, decency and morals. Chapter XIV	646	763	562	441	538	+ 21	437	525	1,058	1,052	545	606	51	57
Do. relating to religion, Chapter XV	138	148	116	155	141	— 9	137	134	412	374	54	54	12	14
Offences against the human body, Chapter XVI. — Offences affecting life	945	885	920	964	1,023	+ 6	948	964	1,656	1,664	818	731	49	43
Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births	65	62	37	75	67	— 10	50	40	66	67	38	30	57	50
Hurt	12,032	14,199	15,728	18,130	19,874	+ 9	15,261	16,762	39,283	44,250	5,062	5,618	12	12
Wrongful restraint and wrongful confinement	605	729	781	882	848	— 3	716	662	2,207	2,189	300	217	13	9
Criminal force and assault	15,360	15,318	14,754	14,519	15,507	+ 6	11,587	12,475	29,703	31,743	3,211	3,173	10	8
Kidnapping, forcible abduction, slavery and forced labor ...	300	260	257	288	318	+ 10	281	290	742	688	191	208	26	30
Rape	90	93	80	109	88	— 19	108	89	130	107	43	49	33	45
Unnatural offence	86	81	60	71	84	+ 18	65	71	91	84	38	40	41	47
Offences against property, Chapter XVII. — Theft	13,547	12,573	12,561	10,433	11,218	+ 7	6,986	7,654	10,120	11,694	5,638	6,244	55	53
Extortion	188	309	310	320	276	— 13	267	246	678	623	53	65	7	10
Robbery and dacoity	385	350	348	366	404	+ 10	270	282	530	797	233	266	39	33
Criminal misappropriation of property	580	531	580	536	547	+ 2	510	529	820	849	304	340	36	40
Criminal breach of trust	797	890	1,096	1,137	1,154	+ 1	985	1,081	1,395	1,447	286	398	20	27
Receiving of stolen property	2,601	2,480	2,422	2,246	2,611	+ 16	1,995	2,247	2,812	3,289	1,676	1,992	59	60
Cheating	923	851	904	914	1,036	+ 13	865	1,006	1,482	1,646	205	263	13	15
Fraudulent deeds and disposition of property	20	17	16	26	24	— 7	25	22	43	53	10	16	23	30
Mischief	3,381	3,657	3,398	3,531	3,574	+ 1	3,040	3,052	7,602	7,860	1,602	1,791	21	22
Criminal trespass	17,963	17,242	15,733	15,007	16,121	+ 7	6,971	6,415	12,091	13,287	3,742	3,770	30	28
Offences relating to documents and to trade or property marks, Chap. XVIII	174	159	137	152	149	— 1	154	140	289	265	61	59	21	22
Criminal breach of contracts of service ... ... „ XIX	21	34	33	18	41	+ 127	17	41	26	60	14	32	53	53
Offences relating to marriage ... ... „ XX	3,703	4,050	3,705	4,329	4,581	+ 5	3,906	4,140	6,970	7,143	657	684	9	9
Defamation .. .. „ XXI	298	260	388	402	398	— 1	378	379	716	774	102	124	14	16
Criminal intimidation, insult and annoyance ... ... „ XXII	1,136	1,438	1,293	1,412	1,618	+ 14	1,264	1,488	2,339	2,586	207	256	8	8
Total	79,321	80,879	79,698	79,970	86,013	+ 7	59,793	64,431	133,551	145,770	30,371	32,538	22	22
Local and Special Laws	32,892	37,751	36,400	36,468	38,903	+ 6	35,383	37,643	67,789	72,950	41,467	44,835	61	61
Grand Total	112,213	118,630	116,098	116,438	124,916	+ 7	95,176	102,074	201,340	218,720	71,838	77,373	35	35

12. Offences under the Indian Penal Code admitted to have occurred increased by 6,043 in the year under report. Offences affecting life, cases of hurt, criminal breach of trust, and cheating have been on the increase for the past three years. The fluctuations under the several heads do not call for particular remark.

Remarks on the above statement.

The percentages of convictions were the same as in the preceding year.

13. The following table shows detailed figures as to the working in districts, in regard to offences falling under the Indian Penal Code, for each of the past four years :—

Detailed working in districts.

District.		Offences reported.	Offences returned as true.	Cases brought to trial.	Percentage of true cases to cases reported.	Percentage of cases brought to trial to true cases.	Number of cases in which conviction was obtained.	Percentage of convictions to cases brought to trial.	Number of persons tried.	Number of persons convicted.	Percentage of persons convicted to those tried.
Delhi ...	1892	3,037	1,738	1,738	57	100	719	41	3,479	925	26
	1893	3,090	2,010	1,937	65	96	619	32	4,345	969	22
	1894	3,807	2,365	1,965	62	83	580	30	4,146	817	20
	1895	3,856	2,485	2,066	64	83	617	30	4,406	875	19
Gurgáon ...	1892	1,770	994	841	56	84	264	31	1,800	464	25
	1893	2,465	1,464	1,116	59	76	308	27	2,559	504	19
	1894	2,897	1,795	1,457	62	81	337	23	3,813	677	18
	1895	2,765	1,609	1,306	58	81	320	24	3,282	603	18
Rohtak ...	1892	1,709	1,031	939	60	91	360	38	2,027	683	33
	1893	1,785	1,132	1,011	66	90	299	29	2,431	591	24
	1894	2,184	1,318	1,050	60	80	365	35	2,342	664	28
	1895	1,916	1,060	960	55	90	375	39	2,244	695	30
Karnál ...	1892	2,207	1,356	970	60	72	303	31	2,499	496	20
	1893	2,930	1,462	1,128	50	77	355	31	2,729	579	21
	1894	3,026	1,683	1,358	55	81	317	23	2,985	506	17
	1895	3,328	1,890	1,558	57	82	444	28	3,714	754	20
Umballa ...	1892	4,574	2,702	2,107	59	78	683	32	4,519	1,074	23
	1893	5,606	3,185	2,337	56	73	647	27	5,016	1,033	20
	1894	5,514	3,442	2,475	62	72	750	30	5,790	1,234	21
	1895	6,350	4,018	2,935	63	73	791	27	7,143	1,358	18
Ludhiána ...	1892	5,387	3,044	2,081	56	68	504	24	5,303	883	16
	1893	5,422	3,728	2,775	68	74	620	22	6,365	1,197	18
	1894	6,241	3,717	2,804	59	75	626	22	6,639	1,075	16
	1895	5,779	3,475	2,540	60	73	773	31	5,621	1,270	22
Simla ...	1892	810	779	550	96	70	256	46	875	347	40
	1893	904	758	515	83	68	283	55	762	361	47
	1894	835	751	552	90	73	290	52	824	373	45
	1895	930	800	609	86	76	280	46	1,089	448	41
Jullundur ...	1892	4,594	3,396	2,572	74	75	600	23	6,482	1,431	22
	1893	4,340	3,352	2,662	77	80	609	22	6,282	984	15
	1894	3,746	2,797	2,162	74	77	563	26	5,022	723	14
	1895	4,696	3,345	2,685	80	70	471	17	6,478	774	11
Hoshiárpur	1892	5,289	3,557	2,401	67	67	560	23	5,958	1,003	16
	1893	4,968	3,126	2,387	63	76	595	25	5,809	1,046	19
	1894	5,010	3,213	2,224	64	69	592	27	5,229	907	19
	1895	5,559	3,917	2,765	70	70	619	22	6,452	1,028	15
Kángra ...	1892	4,186	2,490	2,291	59	90	620	27	4,750	1,255	26
	1893	3,983	2,843	2,257	71	80	731	32	4,429	1,283	29
	1894	4,084	2,788	2,194	68	78	592	27	4,371	853	20
	1895	4,123	2,992	2,194	72	73	647	29	4,354	992	22
Amritsar ...	1892	7,549	4,106	2,880	54	60	978	34	5,932	1,536	25
	1893	7,257	3,835	2,942	53	76	1,116	38	5,680	1,430	25
	1894	6,806	4,052	2,874	60	71	819	28	5,640	1,283	22
	1895	8,152	5,065	3,507	62	70	882	24	7,446	1,363	18
Gurdáspur ...	1892	6,371	3,395	2,416	53	71	613	25	5,415	1,043	19
	1893	6,241	3,472	2,306	55	69	599	25	5,325	928	17
	1894	6,446	3,590	2,624	55	73	578	22	6,203	1,129	18
	1895	7,160	4,035	2,724	56	67	594	21	6,078	969	15
Siálkot ...	1892	9,405	5,712	3,510	60	61	1,455	41	7,385	2,390	32
	1893	8,219	4,437	3,100	54	70	1,163	37	6,571	1,926	30
	1894	8,225	4,668	2,940	57	63	859	30	6,413	1,450	22
	1895	8,109	4,487	2,846	55	63	813	28	6,468	1,289	20
Gujránwála	1892	6,025	3,339	2,182	55	63	733	34	4,416	1,202	27
	1893	5,668	3,252	1,814	57	55	673	37	3,566	997	28
	1894	5,697	3,249	2,052	57	63	720	35	4,164	1,136	27
	1895	5,622	3,356	2,068	59	61	605	29	4,156	920	22

District.		Offences reported.	Offences returned as true.	Cases brought to trial.	Percentage of true cases to cases reported.	Percentage of cases brought to trial to true cases.	Number of cases in which conviction was obtained.	Percentage of convictions to cases brought to trial.	Number of persons tried	Number of persons convicted.	Percentage of persons convicted to those tried.
Lahore ...	1892	7,452	5,673	3,776	76	66	1 319	35	7,898	2 142	27
	1893	7,541	4,596	3,499	60	76	1,170	33	7,818	1,719	22
	1894	7.201	4,708	3,723	65	79	1,030	28	7,824	1,609	20
	1895	7,757	5,011	4,155	64	82	1,059	25	9,346	1,553	16
Ferozepore...	1892	6,653	5,172	3,291	77	63	1,058	32	7,039	1,729	21
	1893	6,757	4,728	3,339	70	70	990	29	7,462	1,691	22
	1894	6,782	4,645	3,447	68	74	810	23	7,550	1,389	18
	1895	9,133	5,577	4,073	61	73	1,090	26	9,285	1,758	18
Hissár ...	1892	2,819	1,675	1,340	59	80	587	43	2,750	1,016	37
	1893	3,182	1,594	1,271	50	80	614	48	2,343	870	37
	1894	3,658	1,743	1,491	47	85	593	40	3,074	897	29
	1895	3,974	2,176	1,809	54	83	573	31	3,791	939	24
Mooltan ...	1892	5,000	3,095	2,601	62	84	941	36	5,332	1,387	26
	1893	5,136	3,261	2,470	63	75	828	33	5,397	1,305	24
	1894	5,822	3,365	2,673	57	79	715	27	6,153	1,111	18
	1895	5,239	3,237	2,619	61	80	778	29	6,299	1,331	21
Jhang ...	1892	2,207	1,432	1,119	60	78	551	50	1,053	814	41
	1893	2,244	1,653	1,313	73	80	556	42	2,478	852	34
	1894	2,736	1,828	1,308	67	71	413	31	3,083	623	20
	1895	3,240	2,329	1,528	72	65	480	31	3,489	818	23
Montgomery,	1892	2,688	1,522	1,210	56	80	570	47	2 471	961	40
	1893	2,629	1,335	1,204	50	90	488	40	2,568	817	31
	1894	2,221	1,279	1,254	57	98	458	36	2,534	840	33
	1895	2,887	1,428	1,428	49	100	608	42	2,872	910	31
Muzaffargarh	1892	2,857	1,926	1,325	67	68	519	39	2,595	870	33
	1893	2,903	1,987	1,490	68	75	672	45	2,652	1,024	38
	1894	2,744	1,665	1,239	60	74	481	39	2,360	742	31
	1895	2,999	1,871	1,428	62	76	541	37	2,588	815	31
Jhelum ...	1892	4,132	2,356	1,772	57	75	738	41	4,039	1,526	37
	1893	3,851	2,105	1,985	54	94	633	31	4,132	1,224	30
	1894	4,348	2,543	1,856	58	73	503	27	4,190	971	23
	1895	4,717	2,420	2,042	51	84	529	25	4,443	1,207	27
Gujrat ...	1892	5,313	2,722	1,673	51	61	712	42	4,607	1,891	30
	1893	4,478	2,385	1,580	53	66	564	35	4,148	985	23
	1894	4,417	2,284	1,035	51	45	446	43	4,307	748	17
	1895	5,868	2,610	1,248	48	47	467	37	4,700	900	19
Shahpur ...	1892	2 924	2,069	1,352	70	65	683	50	3,093	1,383	44
	1893	3,041	1,910	1,254	62	65	573	45	2,674	1,058	40
	1894	3,012	1,872	1,167	62	62	469	40	2,562	1,025	40
	1895	3,444	2,188	1,486	63	67	588	39	3,281	1,181	35
Ráwalpindi	1892	7,202	5,122	3,623	71	70	1,175	32	7,413	1,929	26
	1893	7,059	4,992	3,498	70	70	997	28	7,644	1,670	21
	1894	6,339	3,467	3,657	54	105	960	26	7,450	1,732	23
	1895	5,430	3,253	3,253	59	100	934	28	7,387	1,800	24
D. I. Khan ...	1892	2,593	1,685	1,086	65	64	454	41	2,274	888	39
	1893	2,635	1,822	1,316	70	72	562	42	2,845	887	31
	1894	2,833	1,770	1,259	62	70	488	39	2,687	799	30
	1895	3,229	1,991	1,596	61	80	538	33	3,558	858	24
D. G. Khan	1892	2,230	1,637	1,404	73	85	547	38	2,849	1,107	38
	1893	2,815	1,937	1,341	68	70	627	46	2,524	996	39
	1894	3,090	2,288	1,503	74	66	621	41	3,115	1,069	34
	1895	3,379	2,200	1,560	65	70	699	44	2,948	1,290	43
Bannu ...	1892	2,678	2,199	1,744	82	80	789	45	3,902	1,579	40
	1893	2,900	2,466	1,694	84	68	662	40	3,862	1,302	33
	1894	2,849	2,250	1,705	79	76	579	34	3,953	1,175	30
	1895	2,668	2,133	1,574	79	73	536	34	3,721	1,107	29
Peshawar ...	1892	3,121	2,538	1,999	81	78	819	41	4,663	1,568	33
	1893	2,998	2,521	1,841	84	73	728	40	4,344	1,399	31
	1894	3,364	2,739	2,160	81	79	707	32	5,349	1,392	26
	1895	3,364	2,879	2,132	85	74	724	38	5,187	1,412	27
Hazára ...	1892	2,055	1,261	936	61	74	357	38	2,368	717	30
	1893	1,989	1,081	850	54	79	281	33	2,192	567	25
	1894	1,950	1,084	750	53	72	266	35	1,955	675	34
	1895	1,980	1,161	872	58	75	332	38	2,233	655	29
Kohát ...	1892	1,234	1,162	867	94	74	370	42	1,932	791	41
	1893	1,527	1,249	911	81	72	440	48	1,764	696	39
	1894	1,389	1,053	835	76	79	362	43	1,804	657	36
	1895	1,306	1,015	816	77	80	357	43	1,711	674	39
Total ...	1892	126,251	80,879	58,555	64	72	20,837	35	128,918	36,530	28
	1893	126,585	79,698	59,233	63	74	20,002	33	128,716	32,865	25
	1894	129,273	79,070	59,793	62	75	17,889	30	133,551	30,371	22
	1895	138,459	86,013	64,431	63	74	19,064	29	145,770	32,538	22

Remarks on the above statement.

14. The total number of offences falling under the Indian Penal Code, reported in the year 1895, exceeded the number reported in the preceding year by 9,186, or 7 per cent. There was an increase in 21, and a decrease in 10, districts.

The variations are most marked in the following districts, namely :—

Ferozepore	+34
Montgomery	+30
Jullundur	+25
Gujrát	+21
Amritsar	+19
Jhang	+18
Umballa	+15
Shahpur	+14
Simla	+11
Hoshiárpur	+11
Gurdáspur	+11
Karnál	+10
Dera Ismail Khan	+10
Dera Ghází Khan	+ 9
Muzaffargarh	+ 9

There was a large decrease in the following, namely :—

Ráwalpindi	−14
Rohtak	−12
Mooltan	−10
Ludhiána	− 7

The fluctuations in many of these districts have been noticed in paragraph 3 above.

The increase in the Jullundur district is principally in cases under sections 352 to 358, Indian Penal Code.

The District Magistrates of Shahpur and Simla give no explanation of the increase of offences reported in those districts. The Sessions Judge of Jhelum discusses the increase in Shahpur in his remarks which are quoted at page vi of the Appendix to this Report.

In Hoshiárpur the increase is chiefly in trivial cases of hurt, assault, and trespass, which may be due to the litigious nature of the people. There is also, however, an increase in thefts and burglaries, which the District Magistrate attributes to the inroad of a gang of "Nats," who came from neighbouring districts and settled in the Dasúya tahsíl.

The remarks of the District Magistrates of Gurdáspur and Karnál as to the increase of offences reported in their districts are quoted in the Appendix, at pages iv and ii.

The District Magistrate of Muzaffargarh thinks that the increase in that district may be due to the falling off in the number of persons put on security.

The decrease in Rohtak is attributed to the action taken against bad characters and to more efficient police patrolling.

Although offences reported in the Mooltan district show a decrease, there has been an increase in cases of theft and burglary. The number of these cases, however, in the year 1894 was abnormally low, and the figures for the year under report are still considerably below those for the years 1891-93. The District Magistrate's remarks on the increase in the number of offences affecting life are given at page v of the Appendix.

The decrease in Ludhiána appears to have been in the more petty offences. The District Magistrate points out that serious crime has increased in the Ludhiána district.

Offences under the Indian Penal Code considered.

15. The whole number of offences returned as true under the Indian Penal Code in the year under report may be roughly grouped under four heads, namely:—

		1895.	
		Number.	*Per cent.*
I.	Offences against the human body (Chapter XVI) ...	37,809	44
II.	" " property (Chapter XVII)	36,965	43
III.	" " marriage (Chapter XX)	4,580	5
IV.	All other offences	6,659	8
	Total ...	86,013	100

The proportion of offences returned as true falling under the heads of hurt, criminal force and assault, mischief and criminal trespass is the same as in the year 1894, namely, 64 per cent.

The figures under these four heads in each of the past three years were—

	1893.	1894.	1895.
Hurt	15,728	18,130	19,874
Criminal force and assault	14,754	14,519	15,507
Mischief	3,398	3,531	3,574
Criminal trespass	15,733	15,007	16,121
	49,613	51,187	55,076
	62 p.c.	64 p.c.	64 p.c.
All other offences under the Indian Penal Code	30,085	28,783	30,937
	38 p.c.	36 p.c.	36 p.c.
Total ...	79,698	79,970	86,013

The figures for the year 1895 under these heads do not vary materially from averages for the past five years.

Offences under the most important heads of crime noticed.

16. The following table shows for each district and for the province the number of offences reported and admitted to have occurred under the most important heads of crime, namely, offences affecting life; theft, receiving stolen property, and robbery and dacoity for each of the past two years:—

District.	Offences affecting life.				Theft.				Receiving stolen property.				Robbery and dacoity.			
	Reported.		Admitted to have occurred.		Reported.		Admitted to have occurred.		Reported.		Admitted to have occurred.		Reported.		Admitted to have occurred.	
	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.
Delhi ...	31	25	25	24	478	505	344	335	99	101	69	68	26	33	17	23
Gurgáon ...	25	24	24	23	247	259	182	181	42	53	39	45	36	32	22	15
Rohtak ...	25	29	22	27	272	195	179	107	52	59	44	47	30	46	14	19
Karnál ...	15	17	13	17	706	802	263	281	57	74	53	71	11	14	8	8
Umballa ...	51	49	44	34	628	758	446	531	191	213	151	171	27	26	17	6
Ludhiána ...	38	45	28	28	541	619	242	319	66	103	56	82	39	30	11	9
Simla ...	2	1	...	1	299	312	262	270	46	45	34	40	3	4	3	4
Jullundur ...	17	22	17	22	260	283	160	150	41	41	36	41	21	7	3	1
Hoshiárpur ...	22	33	20	26	477	576	220	354	31	43	25	35	45	66	6	14
Kángra ...	17	23	14	21	583	594	371	388	51	61	49	50	14	41	10	6
Amritsar ...	49	42	41	40	653	715	412	438	101	87	83	83	65	71	12	16
Gurdáspur ...	61	36	47	21	573	634	320	334	44	55	33	46	71	61	19	12
Siálkot ...	34	31	33	31	1,013	676	728	396	84	108	79	105	24	21	9	3
Gujránwála ...	20	30	14	26	1,209	1,101	527	601	99	108	73	94	64	68	10	17
Lahore ...	77	68	51	44	1,622	1,634	924	871	200	206	143	118	127	132	31	19
Ferozepore ...	67	89	56	75	970	1,284	578	733	153	244	126	206	63	104	37	56
Hissár ...	26	50	17	33	603	715	298	404	124	158	88	115	25	66	17	25
Mooltan ...	19	26	15	22	581	627	345	417	111	122	97	111	42	65	2	15
Jhang ...	9	12	7	12	703	833	429	575	133	103	97	83	11	15	4	6
Montgomery ...	30	16	18	12	575	534	310	293	120	96	59	57	37	61	11	12
Muzaffargarh ...	14	14	11	12	379	409	256	266	141	149	105	118	11	14	4	8
Jhelum ...	28	30	26	21	580	509	309	231	47	69	27	53	20	2	4	1
Gujrát ...	25	8	23	6	560	800	142	194	75	117	63	93	28	55	4	6
Shahpur ...	30	17	26	14	660	684	460	491	135	195	91	153	19	22	13	14
Ráwalpindi ...	62	84	60	80	304	581	85	410	151	114	148	107	5	124	4	4
Dera Ismail Khan ...	31	31	29	22	448	495	304	293	98	88	80	68	32	42	17	17
Dera Gházi Khan ...	53	56	43	45	629	651	455	461	147	181	107	132	8	6	5	6
Bannu ...	73	79	63	76	373	352	241	228	61	49	43	37	26	16	18	11
Pesháwar ...	118	122	100	116	466	520	356	413	81	118	74	113	29	36	13	28
Házára ...	39	51	23	40	206	246	91	108	49	45	38	33	26	32	2	7
Kohát ...	67	61	54	52	276	198	194	145	54	49	36	36	34	23	19	19
Total ...	1,175	1,221	964	1,023	17,874	19,101	10,433	11,218	2,884	3,254	2,246	2,611	1,019	1,305	366	404

17. The number of offences admitted to have occurred under the head of offences affecting life during the year under report was 1,023 against 964 in the preceding year. The number reported was 1,221 as compared with 1,175.

Remarks on the above statement.

The number of offences returned as true under the head of theft was 11,218 out of 19,101 reported.

In Siálkot the number of thefts admitted to have occurred fell from 728 to 396. This is a very substantial decrease, which has not been satisfactorily explained by the District Magistrate.

Hissár exhibits a large increase, which is attributed to the failure of the kharíf and rabi crops, dearness of grain, and scarcity of fodder.

The increase in theft cases in the Hoshiárpur district has been explained in paragraph 14 above.

In Ráwalpindi the number of thefts is shown as having risen from 85 to 410, but it has been explained by the District Magistrate that the figure 85 for the year 1894 was a mistake for 485.

18. There were 37,809 offences affecting the human body returned as true in the year under report, against 35,038 in the year 1894, showing an increase of 2,771. This increase is principally in cases of hurt and criminal force and assault. Excluding petty hurts and assaults, offences affecting the human body were most prevalent in the following districts, namely:—

Serious offences against the person.

Bannu	3 offences per ten thousand of the population.		
Kohát			
Simla	2	ditto	ditto.
Gujránwála ...			
Gujrát			
Pesháwar			
Lahore	1	ditto	ditto.
Ferozepore... ...			
Mooltan			
Jhàng			
Ráwalpindi ..			
Dera Ismail Khan ..			
Dera Gházi Khan ...			
Hazára			

19. There were 36,965 offences against property returned as true, as compared with 34,516 in the year 1894, showing an increase of 2,449. The increase is mainly due to an increase in cases of theft and criminal trespass. Excluding cases of mischief and criminal trespass, offences against property were most prevalent in the following districts, namely:—

Serious offences against property.

Simla	80 offences per ten thousand of the population.		
Dera Gházi Khan ...	16	ditto	ditto.
Ferozepore ...	14	ditto	ditto.
Shahpur			
Gujránwála ...	12	ditto	ditto.
Jhang			
Muzaffargarh ...			
Lahore	11	ditto	ditto.
Kohát			
Mooltan	10	ditto	ditto.

Murder.

20. The subjoined table shows more detailed information as to the offence of murder in each of the past four years :—

1	2	3	4	5	6	7	8	9	10	11
	Cases.			Persons disposed of						
Year	Reported.	Returned as true.	Brought to trial.	Brought to trial.	Convicted.	Acquitted, discharged, &c.	Total disposed of	Remaining under trial.	Proportion of convictions to total number disposed of.	Remarks.
1892	521	451	482	1,151	401	586	987	164	40	Including cases tried by Councils of Elders.
1893	569	469	439	934	343	437	780	154	44	
1894	618	527	504	1,124	420	520	940	184	45	
1895	632	553	507	1,100	337	642	979	181	34	

The number of murders has increased in each year since 1892.

The number returned as true increased by 26 in the year under report, while the number brought to trial was only three more than in the previous year.

It is unsatisfactory to note that the proportion of convictions has fallen from 45 to 34 per cent. The low percentage of convictions in murder cases is attributed by the Sessions Judge of Ferozepore to unsatisfactory working on the part of the police. It has been noticed, however, in paragraph 3 that the District Magistrate is disposed to think that the police have worked better during the year under report.

Number of murders in each district.

21. The number of murders admitted to have occurred in each district of the Province in each of the past five years is shown in the following table :—

District.	1891	1892	1893	1894.	1895	Average number per annum.
Delhi	5	8	8	8	11	8
Gurgáon	7	5	7	11	9	8
Rohtak	8	5	7	8	7	7
Karnál	3	4	6	4	4	4
Umballa	21	9	18	19	14	16
Ludhiána	10	10	13	18	5	13
Simla	1	1	...	...	...	...
Jullundur	19	16	12	8	9	13
Hoshiárpur	10	9	6	7	9	8
Kangra	5	4	8	6	12	7
Amritsar	7	14	12	24	19	15
Gurdáspur	8	9	12	14	8	10
Siálkot	4	12	12	15	13	11
Gujránwála	6	4	6	5	11	6
Lahore	19	21	21	27	20	22
Ferozepore	33	25	18	17	34	25
Hissar	8	4	9	7	15	9
Mooltan	15	10	10	9	13	11
Jhang	4	5	...	5	5	4
Montgomery	7	4	12	7	7	7
Muzaffargarh	10	6	7	7	9	8
Jhelum	24	23	21	16	17	20
Gujrát	5	7	6	10	5	7
Shahpur	11	6	14	17	10	12
Ráwalpindi	38	45	56	38	56	47
Dera Ismail Khan	14	20	11	19	17	16
Dera Gházi Khan	24	27	28	38	28	29
Bannu	27	26	31	39	51	35
Pesháwar	49	62	58	80	80	66
Hazára	20	23	15	13	26	19
Kohát...	29	27	25	31	29	28
Total ...	451	451	469	527	553	491

22. The number of murders admitted to have occurred in the Ludhiána district fell from 18 to 5 in the year under report. In the Ferozepore district the number is double that in the preceding year. No satisfactory explanation is given of this increase, though the Sessions Judge attributes it mainly to the prevailing scarcity and to indifferent working on the part of the police.

Remarks on the above statement.

In the Hissár district the number of murders rose from 7 to 15, an increase which is not explained by the District Magistrate. The increase of murders from 38 to 56 in the Ráwalpindi district is also not explained, but the District Magistrate says that a full report regarding the crime of that district is under the consideration of Government.

In the Hazára district the number of murders rose from 13 to 26, but the District Magistrate reports that it is impossible to assign this increase to any particular cause, and that it was not confined to any one part of the district.

The remarks of the District Magistrates of Gujránwála and Bannu in regard to murder cases in those districts will be found on pages v and vi of the Appendix.

23. The result of trials of murder cases in each Sessions Division in each of the past two years is subjoined :—

Murder trials in Sessions Divisions

Division.	Persons disposed of by the ordinary tribunal.				Persons disposed of after reference to Councils of Elders			
	Acquitted or discharged.		*Convicted*		*Discharged*		*Convicted*	
	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.
Delhi	23	23	7	13	...	...	...	...
Umballa	26	9	20	8	...	...	...	...
Jullundur	10	1	8	8	...	...	...	...
Hoshiárpur	7	10	7	15	...	...	...	...
Amritsar	16	27	27	17	...	...	...	...
Siálkot	3	13	20	24	...	...	...	...
Lahore	28	33	10	7	...	...	...	...
Ferozepore	13	33	12	15	...	...	...	...
Mooltan	25	35	15	27	...	...	...	...
Jhelum	31	53	29	10	...	...	...	...
Ráwalpindi	45	35	32	39	...	...	...	...
Deraját	31	30	22	20	67	91	101	53
Pesháwar	59	70	24	29	136	179	86	52
Total ...	317	372	233	232	203	270	187	105

Of the total number of persons tried for murder only 337, or 34 per cent, were convicted.

Remarks on working in districts; offences falling under the Indian Penal Code.

24. The provincial percentage of persons convicted to those tried for offences falling under the Indian Penal Code remained the same in the year under report as in the preceding year, namely, 22. The percentage for cases in which a conviction was obtained, which fell from 35 to 33 in 1893 and to 30 in the year 1894, fell to 29 in the year under report.

The percentage of persons convicted to those tried was very low in the following districts, namely :—

Jullundur	11
Hoshiárpur	15
Gurdáspur	15
Lahore	16
Gurgáon	18
Umballa	18
Amritsar	18
Ferozepore	18
Delhi	19
Gujrát	19
Karnál	20
Siálkot	20

The fall in the percentage in Jullundur, Hoshiárpur and other districts may be due partly to the increase in the number of petty offences.

With regard to the low percentage in Umballa the Sessions Judge remarks : "There appear to be several factors tending to lower the percent-"age of convictions. Among these may be stated a rapidly increasing acquaint-"ance with the law and the means of avoiding its operation among the "people generally; a clever local bar; and a tendency on the part of Magistrates "to be swayed by argument, amounting to weakness."

Offences falling under Local and Special Laws.

25. The following table shows the number of true cases and of persons convicted under certain Local and Special Laws for each of the past four years :—

Law.	True cases.				Persons convicted.			
	1892.	1893.	1894.	1895.	1892.	1893.	1894.	1895.
Arms Act	282	298	234	218	244	289	195	202
Canals and Drainage Act	1,235	918	1,048	1,276	1,488	1,045	1,348	1,524
Cantonments Act	3,272	3,856	3,592	3,800	4,575	4,762	4,968	5,849
Cattle Trespass Act	1,601	2,053	2,060	1,996	850	864	840	747
City Chaukidárs Act	218	243	271	242	271	265	335	353
Contract (Workmen)	317	510	824	743	31	56	56	105
Criminal Tribes Act	527	523	509	608	485	476	387	444
Excise Act	341	441	293	286	357	401	278	246
Forest Act	742	776	723	976	1,350	1,378	1,498	1,899
Gambling Act	201	189	166	149	805	708	715	641
Hackney and Stage Carriages Act	541	362	419	506	603	371	399	521
Land Revenue Act	106	72	50	12	488	236	141	18
Municipal Act	3,013	2,479	2,640	2,177	3,369	2,688	3,011	2,316
Opium Act	455	529	371	226	389	628	303	210
Police Act	10,071	8,530	9,605	10,771	11,841	10,568	11,582	11,952
Punjab Laws Act	821	936	901	1,048	1,358	1,347	1,311	1,418
Railway Act	246	250	219	279	241	240	231	327
Salt and Saltpetre	120	53	62	65	170	91	85	81
Stamps Act	157	147	132	143	147	126	115	135
Total	24,266	23,167	24,119	25,521	29,062	26,539	27,798	28,988

The total number of offences admitted to have occurred under the above heads has risen from 24,119 to 25,521.

Offences falling under Local and Special Laws reported and returned as true

26. The following table shows the number of offences falling under Local and Special Laws reported and returned as true, and the number of persons convicted in each district in each of the past two years :—

District	Offences reported.		Offences returned as true.		Persons convicted.	
	1894	1895.	1894.	1895	1894	1895.
Delhi	868	1,768	739	1,754	694	1,489
Gurgáon	1,419	1,479	1,337	1,239	1,302	1,082
Rohtak	749	915	628	774	600	978
Karnál	1,065	1,427	952	1,288	1,012	1,241
Umballa	1,571	1,726	1,401	1,547	1,860	2,052
Ludhiána	883	1,144	672	954	815	1,237
Simla	2,990	2,662	2,984	2,621	3,793	3,304
Jullundur	1,519	948	1,437	813	1,918	1,112
Hoshiárpur	678	675	570	553	526	479
Kángra	438	394	370	343	462	342
Amritsar	973	1,164	764	935	792	791
Gurdáspur	1,648	1,261	1,241	887	976	723
Siálkot	947	1,093	796	892	967	969
Gujránwála	1,649	1,265	1,327	924	944	645
Lahore	2,613	2,938	2,390	2,607	2,361	2,290
Ferozepore	1,536	2,462	1,281	2,083	1,526	2,422
Hissár	1,837	1,634	1,616	1,389	1,893	1,326
Mooltan	1,773	1,935	1,642	1,806	1,612	1,702
Jhang	706	999	670	934	489	487
Montgomery	776	994	528	684	630	669
Muzaffargarh	1,338	1,141	1,171	999	994	938
Jhelum	1,208	1,330	957	1,167	1,169	2,434
Gujrát	979	1,054	711	677	725	701
Shahpur	1,325	1,325	1,115	1,062	1,032	973
Ráwalpindi	4,245	3,832	3,175	3,051	4,060	4,430
Dera Ismail Khan ...	738	1,215	580	852	688	977
Dera Gházi Khan ...	593	886	498	781	669	945
Bannu	1,290	1,194	946	941	1,221	1,312
Pesháwar	2,059	2,174	1,907	2,123	2,929	3,376
Hazára	929	1,497	576	1,131	739	1,237
Kohát	1,547	1,140	1,487	1,092	2,069	2,242
Total ...	42,889	45,601	36,468	38,903	41,467	44,835

Variations in offences reported under Local and Special Laws.

27. The total number of offences reported under Local and Special Laws was 45,601, as compared with 42,889 in the year 1894, or an increase of 6 per cent. The number returned as true was 38,903, as compared with 36,468 in the preceding year, about 15 per cent being thrown out *in limine*.

There was a marked increase in the number of offences reported under Local and Special Laws in the following districts, namely :—

Delhi	103	per cent.
Dera Ismail Khan	64	„
Hazára	61	„
Ferozepore	60	„
Dera Ghází Khan	50	„
Jhang	41	„
Karnál	34	„
Ludhiána	30	„
Montgomery	28	„
Rohtak	22	„
Amritsar	20	„
Siálkot	15	„
Lahore	12	„
Umballa	10	„
Jhelum	10	„

There was a marked decrease in the following districts, namely :—

Jullundur	37	per cent.
Kohát	26	„
Gurdáspur	23	„
Gujránwála	23	„
Muzaffargarh	14	„
Simla	11	„
Hissár	11	„
Kángra	10	„

The increase in Delhi, Dera Ismail Khan, Hazára, Montgomery, Rohtak and Amritsar is in great measure owing to a stricter enforcement of sanitary rules under the Police or Municipal Acts.

In the Hazára district there was also an increase in offences under the Hazára Forest Regulation, owing to extensive forest fires which broke out in Reserved and Protected Forests.

In the Jhang district the increase was mostly in cases under the Contract (Workmen) Act, which were brought by contractors against workmen employed on the Chenáb Canal.

In Karnál there was an increase in cases under the Criminal Tribes Act.

In Ferozepore, Montgomery, Rohtak and Amritsar the increase was largely in offences under the Canals Act, the probable consequence of a year of drought.

The increase in several of these districts is also partly due to proceedings for taking security for good behaviour. Proceedings for taking security, under Chapter VIII of the Code of Criminal Procedure, are treated under a separate head, and it appears inappropriate to include them also among offences under Local and Special Laws, since such cases cannot properly be classed under the head of offences at all.

The decrease in Jullundur and other districts has not been specially accounted for.

28. The annexed statement shows the details of miscellaneous proceedings under the Criminal Procedure Code for each of the past two years :—

Miscellaneous proceedings.

Nature of proceedings	Year.	Total number of cases disposed of	Total number of persons disposed of.	Number of persons convicted.
Proceedings against witnesses under sections 87 to 89 and 485	1894	29	35	9
	1895	4	8	1
Proceedings under Chap VIII, security to keep the peace	1894	4,4 '4	18,243	7,153
	1895	5,125	21,843	9,589
Proceedings under Chap. VIII, security for good behaviour	1894	6,585	7,387	5,512
	1895	7,289	7,993	5,891
Proceedings against local nuisances, Chap. X	1894	267	1,365	52
	1895	266	783	118
Disputes as to immoveable property, Chap XII	1894	264	757	246
	1895	214	721	128
Frivolous or vexatious complaints summarily dealt with	1894	886	1,058	973
	1895	1,691	1,848	1,840
Non-attendance of Jurors or Assessors, Chap XXIII ...	1894	...	...	...
	1895	...	...	...
Maintenance, Chap. XXXVI	1894	1,429	1,429	229
	1895	1,479	1,481	239
Forfeiture of bonds, Chap XLII	1894	379	524	313
	1895	406	513	325

29. There has been an increase in the number of proceedings under most heads. The number of persons against whom proceedings were taken under section 107 increased by 3,600, and the number proceeded against under section 110 increased by 606. The District Magistrate of Ludhiána is not in favour of the system of taking security for good behaviour from bad characters. His remarks on this subject and on the increase in the number of cases in which compensation was awarded under section 560, Criminal Procedure Code, are quoted on page vii of the Appendix.

Remarks on the above statement.

It is satisfactory to note an improvement in the number of cases in which compensation was awarded to accused persons on account of frivolous or vexatious complaints made against them. The figure for the year under report is 1,691, as compared with 886 in the preceding year.

The District Magistrates of Karnál and Montgomery have alluded to the difficulty which Magistrates experience in applying the provisions of section 560 of the Code (Appendix, pages vii and viii).

On this subject the Sessions Judge of Deraját remarks :—

"All the three districts show improvement, but the result is not satisfactory, considering that out of 2,452 cases rejected without reference to police compensation was awarded only in 127 cases. I am afraid that the principal reason for this disproportion is the want of enquiry and rejection of complaint on what is more or less conjecture, the Magistrate thus often not being able from the scantiness of his enquiry to hold honestly that the complaint *was* frivolous or vexatious. Magistrates are as yet little impressed with the importance of section 560, Criminal Procedure Code."

30. The subjoined statement shows the figures for proceedings under Chapter VIII, security for good behaviour, in each district during each of the past five years :—

Proceedings for taking security for good behaviour in each district.

District.	Cases disposed of.					Persons disposed of.					Persons from whom security was demanded.				
	1891	1892.	1893.	1894.	1895.	1891.	1892	1893	1894	1895.	1891.	1892.	1893.	1894	1895.
Delhi	20	47	24	121	163	21	17	36	121	164	12	11	28	66	121
Gurgáon	33	44	75	63	164	56	65	76	66	164	47	31	50	43	119
Rohtak	81	95	83	181	203	81	95	105	192	246	59	63	64	137	215
Karnál	111	40	184	102	252	210	51	521	200	432	167	41	459	175	367
Umballa	346	579	167	308	214	346	579	180	308	214	282	461	122	180	127
Ludhiána	149	137	191	104	217	189	176	245	109	236	165	161	227	65	188
Simla	5	4	33	34	15	5	7	33	36	15	4	4	25	28	13
Jullundur	77	133	100	121	144	88	141	104	116	158	71	120	95	105	123
Hoshiárpur	80	91	98	69	141	83	105	98	69	146	68	73	72	54	116
Kángra	8	3	10	3	13	8	5	11	3	13	8	2	9	3	7
Amritsar	551	273	201	140	92	736	283	214	144	93	672	229	155	110	71
Gurdáspur	173	284	245	392	138	173	287	245	392	140	98	229	191	332	100
Siálkot	593	573	724	34	84	785	759	1,185	40	91	636	715	1,052	22	58
Gujránwála	70	182	244	157	80	92	203	271	176	80	62	156	216	165	61
Lahore	532	1,238	929	347	561	668	1,262	944	352	566	531	1,112	736	274	452
Ferozepore	246	507	606	352	784	276	524	608	388	794	212	399	358	225	425
Hissár	199	110	502	627	482	202	170	616	864	489	124	162	516	661	358
Mooltan	168	98	506	390	453	171	100	506	390	471	151	89	469	324	367
Jhang	72	274	237	124	115	72	274	237	124	115	59	244	472	99	84
Montgomery	20	119	174	179	122	27	119	236	196	120	20	93	195	167	86
Muzaffargarh	369	577	632	757	396	371	586	634	757	396	276	478	550	607	305
Jhelum	134	109	74	68	90	136	192	74	68	93	109	129	64	55	78
Gujrát	166	110	221	223	228	166	121	221	228	228	108	93	202	204	186
Shahpur	161	264	232	247	132	161	286	232	247	132	109	158	128	164	99
Ráwalpindi	373	375	307	448	270	393	394	317	557	270	236	292	170	316	190
Dera Ismail Khan	142	127	83	130	264	142	133	90	130	273	91	85	42	79	193
Dera Ghází Khan	275	294	182	188	440	285	336	247	194	443	220	251	176	154	342
Bannu	1,017	390	270	174	222	1,017	390	270	174	222	818	312	202	110	182
Peshávar	345	429	449	288	317	358	430	452	295	323	273	382	338	210	207
Hazára	178	242	106	30	252	279	290	119	36	252	200	170	62	17	92
Kohát	229	573	202	154	238	682	1,295	387	420	614	574	1,110	349	364	559
Total .	6,923	8,371	8,091	6,585	7 289	8,279	9,675	9,514	7 387	7,993	6,462	7,861	7,492	5,512	5,891

Results of proceedings for security.

31. Out of 5,891 persons called upon to furnish security during the year under report, 2,120 persons were imprisoned in default, as compared with 2,135 out of 5,512 persons in the preceding year; and 893 as against 833 were detained for more than a month. The amount of security demanded averaged Rs. 214 as against Rs. 218 in the year 1894. The average amount of security demanded was high in—

	Rs.
Montgomery	493
Jhelum	467
Lahore	341
Karnál	293
Gurgáon	276
Siálkot	266
Hissár	263
Dera Ismail Khan	252
Pesháwar	248

and low in—

Simla	93
Delhi	95
Muzaffargarh	108
Kángra	114
Shahpur	120

Sureties were called upon to pay the amount of security forfeited in the case of 825 persons in the year under report, as compared with 313 in the preceding year.

C.—Original trials in Magistrates' Courts.

Results of trials in Magistrates' Courts.

32. The following table shows the number of accused persons whose cases were disposed of in Magistrates' Courts during the year, and the manner of disposal during each of the past five years:—

Manner of disposal.	Number.	Percentage.				
		1891.	1892.	1893.	1894.	1895.
Died or escaped	147	...	...	...	...	...
Transferred	48	..	...	...	...	...
Discharged or acquitted for want of prosecution	67,634	27	27	29	31	31
Discharged or acquitted on other grounds	73,182	31	30	32	33	33
Convicted, committed or referred	78,041	42	43	39	36	36
Total	219,052	...	...	...	...	...

The percentages for the year under report are the same as in the previous year. The percentage of convictions in Magistrates' Courts was high in—

Simla	80
Kohát	58
Dera Ghází Khan	53
Rohtak	46

and low in—

Hoshiárpur	20
Jullundur	22
Gurdáspur	22
Amritsar	24
Gujrát	24
Kángra	27
Gujránwála	27
Siálkot	28
Lahore	28

33. The following table shows the results of trials before the various classes of Courts during each of the past two years :—

Results of trials before the various classes of Courts.

Class of Court.	Number of persons disposed of.		Percentage of persons convicted, committed or referred.	
	1894.	1895.	1894.	1895.
District Magistrates	8,370	8,077	57	57
Assistant and Extra Assistant Commissioners	60,641	67,246	39	41
Tahsíldárs	52,929	55,574	30	30
Náib-Tahsíldárs	27,163	33,697	22	19
Cantonment Magistrates	7,239	7,476	71	75
Canal Officers and other Special Magistrates	4,134	5,011	54	49
Boards of Honorary Magistrates	13,884	14,199	42	42
Honorary Magistrates sitting singly	27,280	27,772	32	30
Total	201,640	219,052	36	36

The percentage of convictions in the Courts of Náib-Tahsíldárs, Canal Officers and Honorary Magistrates sitting singly fell from 22 to 19, 54 to 49, and 32 to 30, respectively, while those in the Courts of Assistant and Extra Assistant Commissioners and Cantonment Magistrates rose from 39 to 41 and 71 to 75, respectively. In all other Courts the percentages were the same as in the preceding year.

34. The numbers of cases for disposal, disposed of, and pending at the close of the year, respectively, for each of the past four years were as follows :—

Pending file.

Year.	Number of cases.			Number of persons awaiting trial at the close of the year.
	For disposal.	Disposed of.	Pending.	
1892	96,121	94,920	1,201	2,580
1893	95,051	93,655	1,396	3,386
1894	96,408	94,935	1,473	3,327
1895	103,268	101,495	1,773	4,160

35. The average duration in Magistrate's Courts for the Province was eight days in the year under report, being the same as in the preceding year. The average duration in each class of Court for each of the past four years was as follows :—

Average duration.

	Days.			
	1892.	1893.	1894.	1895.
Special Magistrates	7	4	5	6
Honorary Magistrates sitting singly, 2nd and 3rd class	6	7	8	8
Honorary Magistrates sitting singly, 1st class ...	11	9	8	9
Benches of Magistrates	4	4	5	4
Stipendiary Magistrates other than Chief Magistrates of districts, 2nd and 3rd class	6	7	7	7
Stipendiary Magistrates, other than Chief Magistrates of districts, 1st class	10	9	10	10
District Magistrates under ordinary powers ...	11	12	11	11
Ditto ditto enhanced powers ...	17	23	22	21

These figures do not call for any comment.

Distribution of criminal work.

36. The following table shows the amount of original criminal business disposed of by each class of officers, acting as a Criminal Court (except the Chief Court and the Courts of Session), with percentages and the average number of cases decided, for each of the past three years :—

Description of Court or Officer exercising powers.	Cases disposed of.			Percentages.			Average number of cases decided by officers of each grade.		
	1893.	1894.	1895.	1893.	1894.	1895.	1893.	1894.	1895.
Special Magistrates	3,026	1,941	2,339	3·2	2·0	2·3	69	41	49
Honorary Magistrates sitting singly ...	10,590	13,346	13,379	11·3	14·1	13·2	107	123	124
Boards of Honorary Magistrates	7,215	7,520	8,104	7·7	7·9	8·0	301	301	313
Náib-Tahsíldárs	10,801	11,663	14,158	11·5	12·3	14·0	86	93	112
Tahsíldárs	22,805	23,113	24,401	25·4	24·3	24·1	181	184	194
Cantonment Magistrates	4,520	3,877	3,867	4·8	4·1	3·8	502	484	483
Extra Assistant Commissioners	25,413	20,380	21,195	26·1	21·5	20·8	254	221	230
Assistant Commissioners	4,937	5,478	6,418	5·3	5·8	6·3	215	219	256
District Judges and Subordinate Judges with appellate powers	1,374	3,628	3,964	1·5	3·8	3·9	105	139	152
District Magistrates	2,974	3,789	3,670	3·2	4·2	3·6	113	114	105

The proportion of criminal work disposed of by Náib-Tahsíldárs rose from 12·3 to 14·0 per cent. The work disposed of by Extra Assistant Commissioners shows a slight falling off.

Honorary Magistrates.

37. A considerable amount of criminal work was done by Honorary Magistrates, of whom the following in particular deserve credit for the large number of cases disposed of by them :—

District.	Name.	Powers.	Number of cases.
Karnál	Khan Bahádur Shamsher Ali Khan...	Magistrate, 3rd Class ...	467
Jhang	Lála Ganesh Dás	,, ,, ,, ...	342
Lahore	Khan Bahádur Hafiz Iláhi Bakhsh	,, 1st ,, ...	319
Ferozepore	Lála Tulsi Rám	,, 2nd ,, ...	311
Ludhiána	Shahzáda Nádir	,, 1st ,, ...	307
Karnál	Chaudhri Riyasat Ali	,, 3rd ,, ...	296
Gurdáspur	Khan Sádulla Khan	,, 2nd ,, ...	272
Mooltan	Sheikh Riaz Hussen	,, 1st ,, ...	269
Delhi	Khan Bahádur Sayad Hádi Husain Khan.	,, ,, ,, ...	268
Karnál	Sayad Altáf Hussen	,, ,, ,, ...	267
Lahore	Sheikh Nának Bakhsh	,, ,, ,, ...	255
Ráwalpindi	Saith Dhunji Bhoy	,, ,, ,, ...	255
Hazára	Qázi Mír Alam	,, ,, ,, ...	250
Muzaffargarh ...	Saifullah Khan	,, ,, ,, ...	243
Hoshiárpur	Bedi Suján Singh	,, 2nd ,, ...	228
Hissár	Munshi Nasir-ud-dín Ahmad ...	,, 3rd ,, ...	217
Amritsar	Misr Máhan Chand	,, ,, ,, ...	216
Hissár	Lála Basant Lál	,, 1st ,, ...	212

D.—Special Jurisdiction of Magistrates.

Work done by District Magistrates.

38. The following table shows the amount of work disposed of by District Magistrates for each of the past three years :—

District.	Original, section 30.			Original, ordinary powers.			Appellate.		
	1893.	1894.	1895.	1893.	1894.	1895.	1893.	1894.	1895.
Delhi	14	15	34	40	12	41	179	190	153
Gurgáon	5	9	8	67	49	46	115	182	224
Rohtak	12	17	24	35	106	67	120	159	178
Karnál	14	18	21	56	34	88	77	90	105
Umballa	20	12	22	28	19	21	184	238	229
Ludhiána	25	6	27	36	32	110	423	454	536
Simla	2	2	2	14	8	17	12	26	19
Jullundur	10	14	19	16	31	28	244	196	183
Hoshiárpur	10	12	9	9	22	18	297	274	374
Káugrá	16	18	21	16	30	70	134	156	161
Amritsar	23	22	10	31	27	32	344	266	283
Gurdáspur	25	52	47	44	52	54	315	254	249
Siálkot	23	17	9	22	18	19	638	314	356
Gujránwála	15	39	9	18	34	53	199	243	186
Lahore	48	35	49	18	26	100	371	279	384
Ferozepore	48	48	46	27	46	45	474	388	607
Hissár	23	44	29	85	100	62	149	193	272
Mooltan	37	32	46	69	94	54	279	209	277
Jhang	34	17	7	157	71	29	194	198	138
Montgomery	13	29	22	37	17	40	143	198	263
Muzaffargarh	23	23	23	48	50	64	157	103	122
Jhelum	14	21	14	23	4	31	278	172	230
Gujrát	17	35	33	26	77	36	219	150	208
Shahpur	17	15	22	17	10	10	299	288	376
Ráwalpindi	61	42	71	21	29	7	349	439	498
Dera Ismail Khan	1	11	23	...	11	27	126	135	212
Dera Ismail Khan (Additional)	20	15	4	24	23	10	...	...	...
Dera Ghází Khan	5	2	1	10	7	6	102	169	267
Dera Ghází Khan (Additional)	14	4	12	116	151	191	...	...	..
Bannu	...	2	8	16	5	13	146	147	182
Bannu (Additional)	10	10	12	100	35	76	...	...	...
Peshâwar	4	...	...	6	6	6	253	274	255
Peshâwar (Additional)	50	54	56	1	...	...	...	...	...
Hazára	9	11	19	14	12	7	70	66	89
Hazára (Additional)	7	2	...	91	9	...	...	...	...
Kohát	18	3	3	7	5	9	35	25	44
Kohát (Additional)	...	25	36	...	244	281	...	...	...
Total ...	708	733	798	1,345	1,506	1,768	6,925	6,475	7,660

Remarks on the above statement.

39. District Magistrates disposed of 798 cases in the year under report under their enhanced powers conferred under section 30 of the Code of Criminal Procedure, as compared with 708 cases in 1893 and 733 in 1894. Of these 180 were cases triable by Sessions Courts. References for confirmation of sentence by Sessions Courts were made in the case of 210 persons. Of the sentences referred, 120 were confirmed, 83 modified, and 3 set aside.

The average duration in cases tried by District Magistrates under their enhanced powers was 21 days, as compared with 22 days in the year 1894.

The number of cases tried by District Magistrates under their ordinary powers during the year under report was 1,768, as compared with 1,506 in the preceding year.

The District Magistrates of Gurgáon, Simla, Hoshiárpur, Amritsar, Gujránwála, and Jhang tried very few cases under their enhanced powers.

The falling off in Jhang is due to the officer who acted as District Magistrate for four months during the year not being invested with powers under section 30. But there has also been a considerable decrease in the number of cases tried by the District Magistrate under his ordinary powers, which has not been explained.

The figures for Siálkot are said to be incorrect, as they do not appear to include cases sent by the District Magistrate to the Sessions Judge for confirmation of sentence.

There has been a very large increase in the amount of work disposed of by the District Magistrates of Ludhiána and Lahore. The figures for Karnál and Kángra also show a considerable increase.

The District Magistrates of Dera Gházi Khan, Bannu, Pesháwar and Kohát leave most of the original criminal work to the Additional District Magistrates.

The number of criminal appeals disposed of by District Magistrates during the year 1895 was 7,660, as compared with 6,475 in the year 1894, or an increase of 18 per cent.

The appellate work was heaviest in—

Ferozepore	607
Ludhiána	536
Ráwalpindi	498
Shahpur	376
Hoshiárpur	374

and light in—

Simla	19
Kohát...	44
Hazára	89
Karnál	105

European British subjects.

40. The number of European British subjects tried by District Magistrates in the year 1895 was 80, as compared with 99 in the preceding year. Of these 35 were convicted, 40 acquitted or discharged, 2 committed to the Sessions Court and 3 to the Chief Court.

Frontier Regulations.

41. The number of cases disposed of under the Frontier Crimes Regulations in each of the past two years is shown below:—

District.	Regulation IV of 1887, section 13. References to Councils of Elders.		Regulation IV of 1887, sections 24 and 25. Fines on communities accessory to crime.		Regulation IV of 1887, section 31. Preparation to commit certain offences.		Regulation IV of 1887, section 32. Adultery.		Regulation IV of 1887, section 35. Cases in which persons were reported on account of quarrels likely to lead to bloodshed.		Regulation IV of 1887, sections 33 and 36. Breach of the provisions of sections 33, 34 or 35.		Regulation IV of 1887, sections 39 and 42. Security for the prevention of murder.		Regulation IV of 1887, section 40. Security from families when a blood feud exists or is probable.	
	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895	1894.	1895.
Dera Ismail Khan	41	24	1	.	...	...	...	...	...	...	...	...	3	2	1	1
Dera Gházi Khan	96	94	...	...	...	...	1	2	...	...	...	...	2	4	10	1
Bannu	79	109	1	2	...	7	13	1	4	18	2	16	...	...	2	...
Pesháwar	87	98	6	6	5	8	6	2	34	...	3	7	15	18	230	221
Hazára	25	27	4	2	...	...	4	6	...	3	7	1	...	...	14	10
Kohát	97	72	18	15	...	...	4	12	13	12	1	2	11	51	104	121
Total	425	424	30	25	5	15	28	23	51	33	13	26	31	75	361	354

42. The results of the references to Councils of Elders during each of the past two years are given in the following table:—

Results of references to Councils of Elders.

District.	Number of persons tried.		Number of persons convicted.		Percentage of convictions.	
	1894.	1895.	1894.	1895.	1894.	1895.
Dera Ismail Khan ...	90	39	43	17	48	43
Dera Ghází Khan ...	297	218	139	117	47	54
Bannu	277	305	111	92	40	36
Pesháwar	279	261	122	90	44	34
Hazára	67	59	17	16	25	27
Kohát	275	204	132	60	48	29

The percentage of convictions decreased considerably in the Pesháwar and Kohát districts. Dera Ghází Khan shows an improvement in the year under report.

Remarking upon the decrease in the number of cases referred to Jirgás, the District Magistrate of Dera Ismail Khan notes that the figures do not include the cases committed within the revenue limits of the district by trans-border tribes and decided by tribal Jirga. As the offenders in these cases are not required to attend the Deputy Commissioner's Court, it has been the custom in that district to keep such cases out of the statements.

The District Magistrate of Hazára remarks that out of 12 cases under sections 429, 435 and 436, Indian Penal Code, in only one case was a conviction obtained. The number of persons tried under those sections was 24, of whom only 2 were convicted. Cases of this nature are, as a rule, compounded and a finding of "not guilty" returned by the Jirga. If these cases be excluded the percentage of convictions is much higher.

The District Magistrate, Kohát, finds it difficult to get satisfactory findings out of Jirgás. In several cases, in which the Jirga had found the accused guilty, the District Magistrate was obliged to reject the findings as examination showed that they were given on wholly insufficient grounds.

The remarks of the District Magistrate of Bannu on the working of the Jirga system are quoted at page x of the Appendix.

43. The following figures show the particulars as to the fines imposed in each district under the Frontier Crimes Regulations for each of the past two years:—

Fines imposed under the Frontier Crimes Regulations.

District.	Fines imposed.		Average per person convicted.		Percentage of fines imposed, realized within the year.		Amount awarded as compensation.	
	1894.	1895	1894	1895	1894	1895.	1894.	1895.
Dera Ismail Khan	16,170	575	522	57	4	105	822	271
Dera Ghází Khan	20,407	21,223	228	186	59	106	20,916	15,887
Bannu	11,787	10,328	115	124	60	33	6,977	6,136
Pesháwar	9,690	10,205	121	154	90	92	3,740	2,358
Hazára	1,905	308	173	77	82	76	971	308
Kohát	14,659	7 352	130	171	70	81	6 895	3,764
Total ...	83,618	49,991	180	156	55	84	40,321	28 724

The percentage of realizations was most satisfactory in all the districts except Bannu, where it fell from 60 to 33 per cent.

E.—Original Jurisdiction of Courts of Session.

Work disposed of by Courts of Session.

44. The following abstract shows for each of the past two years the number of cases and persons disposed of by Courts of Session :—

	Cases.		Persons.	
	1894.	1895.	1894.	1895.
Sessions trials	446	464	893	911
Cases referred by District Magistrates under section 34, Criminal Procedure Code.	135	133	163	197
Other references	143	122	151	140

The number of sessions cases disposed of in each division during each of the past two years was as follows :—

	1894.	1895.		1894.	1895.
Delhi	36	40	Ferozepore	28	49
Umballa	35	19	Mooltan	29	51
Jullundur	17	8	Jhelum	51	33
Hoshiárpur	15	17	Ráwalpindi	44	50
Amritsar	37	33	Deraját	42	42
Siálkot	22	32	Pesháwar	65	57
Lahore	25	33			

The Sessions Judge of Ráwalpindi, who is also Additional Sessions Judge of Jhelum, disposed of five sessions cases of the Jhelum Division.

Results of sessions trials.

45. The subjoined table shows the results of sessions trials in each of the past two years :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Year	For disposal.				Disposed of.						Pending at the end of the year.					
	Persons.		Total.		Persons.				Total.							
	Remaining from previous year.	Committed to the sessions during the year.	Cases.	Persons.	Died, escaped or transferred.	Acquitted.	Convicted.	Convicted and referred to Chief Court under section 374, C. P. C.	Cases.	Persons.	Cases.	Persons.	Percentage of persons convicted.	Cases pending over three months.	Average duration.	Date of oldest case pending.
1894 ...	95	923	502	1,018	2	301	403	192	446	898	56	120	59	0	50	(b) 12th November 1888.
1895 ...	120	918	528	1,038	2	316	400	(a) 193	464	911	64	127	61	0	53	

(a).—Including 41 persons referred to Councils of Elders under Frontier Crimes Regulation IV of 1887.
(b).—In this case the accused is confined in a Lunatic Asylum.

The percentage of convictions in Sessions Courts has risen from 59 in the year 1894 to 61 in the year under report. One hundred and fifty-two persons were sentenced to death by the Courts of Session during the year 1895, as compared with 129 persons in the preceding year.

F.—Witnesses.

Number of witnesses examined.

46. The figures below show the number of witnesses examined by all the Criminal Courts in the Punjab during each of the past two years:—

	1894.	1895.
District Courts	285,124	306,649
Sessions Courts	6,638	7,160
Chief Court	14	37

The increase in the number of witnesses examined is owing to the increase in the number of cases disposed of.

The periods of detention in District Courts were as follows:—

	Percentage	
	1894.	1895.
Discharged on the 1st day	93·2	93·0
" 2nd "	5·2	5·3
" 3rd "	1·2	1·3
Detained more than three days	0·4	0·4

Long detention of witnesses.

47. Witnesses were detained for long periods in the following districts:—

	Persons.
Over three days:—	
Jhelum	248
Jhang	119
Kohát	88
Shahpur	88
Gujránwála	74
Ferozepore	74
Muzaffargarh	68
Hissár	62
Montgomery	57
Dera Ghází Khan	54
Mooltan	51
Rohtak	50
Six to eight days—	
Ferozepore	25
Amritsar	11
Shahpur	10
Jhang	4
Dera Ghází Khan	1
Over nine days—	
Ferozepore	12
Dera Ghází Khan	9

Such detentions, especially for such long periods as those in the Ferozepore and Dera Ghází Khan districts, are very unsatisfactory and should in most cases have been avoidable.

Diet-money.

48. The following table shows the cost of the dieting of witnesses for each of the past two years:—

Year.	Number of witnesses who attended the Courts.	Number of witnesses examined.	Number of witnesses dieted		Amount of diet-money paid		Average cost of each witness dieted	
			By police.	By Magistrate.	By police.	By Magistrate.	By police.	By Magistrate.
					Rs.	Rs.	Rs. a. p.	Rs. a. p.
1894	290,721	285,124	34,265	67,807	8,483	43,162	0 3 11	0 10 2
1895	323,242	306,649	33,202	75,134	8,905	49,857	0 4 3	0 10 7

The average cost of each witness dieted by the police was very low in—

	Rs.	a.	p.
Amritsar	0	2	5
Ferozepore	0	3	0
Delhi	0	3	2
Umballa	0	3	2

The average cost of dieting witnesses in Magistrates' Courts was very low in—

	Rs.	a.	p.
Amritsar	0	5	2
Jullundur	0	6	11
Kángra	0	7	0
Ludhiána	0	7	5
Karnál	0	7	6
Umballa	0	7	6

It was highest in—

Dera Ismail Khan	1	3	0
Ráwalpindi	1	0	7
Jhelúm	0	14	2
Mooltan	0	13	9
Gurgáon	0	13	1
Shahpur	0	13	0

The high average cost of each witness dieted by the Magistrate in the Dera Ismail Khan district is attributed by the District Magistrate partly to some of the witnesses having had to come from very remote parts of the district, and to communications not being so far advanced as in other districts.

PART II.—PUNISHMENTS.

49. The following statement shows the punishments inflicted by the Criminal Courts of the Punjab in each of the past two years :—

Detail of punishments inflicted by the Courts.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
			PERSONS SENTENCED TO												Persons ordered to find or give			Persons imprisoned in default of furnishing security for good behaviour.	
				Transportation.			Imprisonment.				Whipping.		Fine.						
							Rigorous.												
Class of Court.	Year.	Total number of persons punished.	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	In addition to other punishment.	In lieu of other punishment.	With imprisonment.	Without imprisonment.	Security to keep the peace.	Recognizance to keep the peace.	Security for good behaviour.	Rigorous.	Simple.
Magistrate's Courts ..	1894	70,500	...	...	...		8,200	6,062	764		232	1,339	9,708	41,532	6,120	1,024	5,512	1,989	146
	1895	76,670	...	...	...	..	9,603	6,619	788	..	207	1,582	11,102	42,624	8,483	1,106	5,801	2,030	90
Sessions Courts	1894	699	.	103	31	.	388	24	.	.	8	...	185	7	3	..	143	142	..
	1895	726	...	105	29	..	302	16	3	1	3	1	194	16	...	..	134	125	...
Chief Court ...	1894	86	57	23	1	.	1	4	...	..		.	...	...	...	...	...	...	...
	1895	123	86	30	...	.	3	4	...		...	...	...	..	...	...	...	...	..
Total	1894	71,285	57	126	32	...	8,589	6,110	764	...	240	1,339	9,893	41,539	6,123	1,024	5,655	2,131	146
	1895	77,528	86	135	29	...	9,908	6,669	791	1	310	1,583	11,296	42,640	8,483	1,106	6,025	2,155	90

Sentences of imprisonment classified.

50. The following are the details of sentences of imprisonment, according to the length of the term awarded, for each of the past two years :—

	Number.		Percentage.	
	1894.	1895.	1894.	1895
Not exceeding 15 days	2,294	2,564	13	13
Do. 6 months	9,180	10,224	52	52
Do. 2 years	5,288	5,878	30	30
Do. 7 years	943	1,006	5	5
Above 7 years	35	31	...	...

Whipping.

51. The number of sentences of whipping passed has increased somewhat in the year under report. The figures for the past four years are :—

Year.	In addition to Other punishment.	In lieu of Other punishment.	Total.
1892	321	1,724	2,045
1893	354	1,834	2,188
1894	240	1,339	1,579
1895	310	1,583	1,893

Fines.

52. The subjoined abstract shows the amount of fines imposed and of compensation awarded to complainants by all the Courts of the Province, with the amount realized and percentage of amount realized to amount imposed or awarded for each of the past three years. This abstract includes fines imposed under the Frontier Crimes Regulations :—

Year.	Fines.			Compensation.		
	Imposed. Rs.	Realized. Rs.	Percentage.	Awarded. Rs.	Paid. Rs.	Percentage.
1893 ...	5,46,626	3,96,466	72	86,841	36,317	42
1894 ..	5,48,282	3,91,677	71	96,400	46,342	48
1895 ...	5,34,077	3,95,178	74	95,229	50,189	52

The percentage of realizations of fines has risen from 71 in the year 1894 to 74 in the year under report.

The percentage of realizations was high in—

	Per cent.
Karnál	82
Kángra	81
Dera Ismail Khan	78
Rohtak	75
Umballa	75

and low in—

Dera Ghází Khan	40
Bannu	44

53. The amount of fines imposed and awarded by District Courts in the year 1895 under the Frontier Crimes Regulations and under the ordinary law was—

Fines imposed under the Frontier Crimes Regulations and ordinary law compared.

Law applied.	Amount of fine.		Percentage.
	Imposed	Awarded as compensation	
	Rs.	Rs.	
Frontier Crimes Regulations ...	49,991	28,724	57
Ordinary law	4,66,551	63,647	13
Total ...	5,16,542	92,371	17

54. The following are the details of fines imposed by the District Courts during each of the past two years :—

Details of fines imposed.

1	2	3	4	5	6	7	8	9	10
Total number of persons fined.		Total amount of fines imposed.		Average amount of fines per head.		Percentage of fines imposed to amount realized.		Percentage of fines imposed to amount awarded as compensation.	
1894.	1895	1894.	1895.	1894.	1895	1894.	1895.	1894.	1894.
		Rs.	Rs.	Rs.	Rs.				
51,240	53,726	5,34,335	5,16,542	10	9	59	60	18	17

55. The amounts of fines imposed and realized in District Courts during each of the past four years are shown below :—

Fines realized

1	2	3	4	5	6
Year	Amount of fines				Percentage of total amount of fine realised to amount imposed
	Imposed	Realised			
		On account of year under report.	On account of past years.	Total.	
	Rs.	Rs.	Rs.	Rs.	
1892	5,84,259	3,44,390	87,324	4,31,714	73
1893	5,36,085	3,05,697	84,316	3,90,013	72
1894	5,34,335	3,12,726	73,968	3,86,694	72
1895	5,16,542	3,11,093	77,581	3,88,674	75

56. The details of fines imposed by Courts of Session for each of the past three years are as follows :—

Fines imposed by Courts of Session.

1	2	3	4	5	6
Year.	Total number of persons fined.	Total amount of fines imposed.	Average amount of fine per head.	Percentage of fines realized to amount imposed.	Percentage of fines awarded as compensation to amount imposed.
		Rs.	Rs.		
1893	127	10,541	83	25	3
1894	192	13,947	73	9	7
1895	200	17,535	87	20	16

57. The percentages of total realizations during each of the past three years in Courts of Session are given in the following statement :—

Percentage of realizations.

Year.	Amount of fines.				Percentage of total realizations to amount imposed.
	Imposed.	Realised.			
		On account of year under report	On account of past years.	Total.	
	Rs	Rs.	Rs.	Rs.	
1893	10,541	2,655	3,798	6,453	61
1894	13,947	1,308	3,675	4,983	35
1895	17,535	3,541	2,063	6,504	37

PART III.—APPELLATE JURISDICTION OF COURTS SUBORDINATE TO THE CHIEF COURT.

58. The number of persons convicted during the year under report was 77,506; the number of appealable sentences passed was 57,547, of which 708 were passed by Courts of Session and the rest by District Courts.

General review of appellate business.

These sentences yielded the following appeals, namely—

To District Courts	11,713
To Sessions Courts	7,726
To the Chief Court	767
Total ...	20,206

Thus about 35 per cent of appealable decisions were appealed. The proportion was 33 per cent in the previous year.

Appeals to District Courts.

59. The number of appeals disposed of in District Courts during the year under report, the agency which disposed of them, and the manner in which they were treated, are shown in the subjoined table :—

1	2	3	4	5	6	7	8	9	10	11	12
	Appeals disposed of						Percentage of persons whose				
District.	By District Magistrates.		By District and Sub-Judges.		By Assistant and Extra Assistant Commissioners specially empowered.		Appeals were summarily rejected under section 421, Criminal Procedure Code.	Appeals were dismissed under section 423, Criminal Procedure Code.	Sentences were reduced or altered.	Sentences were reversed, proceedings quashed, or new trial ordered.	Average duration of appeals.
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons					
Delhi	153	268	...	...	...	...	74	...	6	20	6
Gurgáon	224	224	..	...	...	...	34	8	8	50	4
Rohtak	178	275	...	...	...	...	61	...	9	30	7
Karnál	105	178	...	..	...	...	59	1	22	18	6
Umballa	220	448	...	...	...	...	2	57	10	31	18
Ludhiána	536	807	...	...	...	...	57	...	17	20	8
Simla	19	22	...	...	...	...	36	50	9	5	7
Jullundur	183	259	...	...	...	...	1	48	8	43	13
Hoshiárpur	374	568	...	...	..	...	51	10	15	24	8
Kángra	115	148	46	62	.	...	59	...	11	30	16
Amritsar	283	441	...	...	...	...	63	...	23	14	8
Gurdáspur	249	389	...	...	...	...	3	61	16	20	9
Siálkot	356	597	...	...	...	...	...	56	18	26	5
Gujránwála	186	251	...	...	...	..	4	36	19	41	7
Lahore	83	101	301	500	...	...	...	54	15	31	28
Ferozepore	607	863	...	...	...	...	2	57	12	29	11
Hissár	272	401	...	...	...	...	1	58	5	36	6
Mooltan	277	381	...	..	...	...	67	...	8	25	10
Jhang	134	161	...	...	4	4	61	4	20	15	10
Montgomery	263	396	...	...	...	...	6	51	21	22	9
Muzaffargarh	122	135	...	..	...	...	73	2	7	18	6
Jhelum	230	400	...	...	...	...	...	82	3	15	17
Gujrát	208	369	...	...	...	...	...	68	12	20	9
Shahpur	376	648	...	...	...	...	5	65	9	21	12
Ráwalpindi	498	869	...	...	...	...	10	41	10	39	12
Dera Ismail Khan ...	212	275	...	...	...	...	...	51	29	20	19
Dera Gházi Khan ...	267	403	...	...	...	...	3	63	17	17	5
Bannu	182	294	...	...	...	...	2	58	29	11	9
Peshâwar	255	397	...	...	...	...	1	52	29	18	16
Hazára	89	205	...	...	...	...	69	5	8	18	14
Kohát	44	71	...	...	...	...	27	15	39	19	17
Total ...	7,309	11,239	347	562	4	4	22	38	14	26	10

Remarks on the above statement

60. The heading of the table given above has been partially revised under instructions contained in paragraph 14 of the Review of the Criminal Justice Report for the year 1894. The detailed figures in districts show considerable variations in the manner in which appeals were treated. In several districts no appeals were summarily rejected, while in others no appeals were dismissed under section 423, Criminal Procedure Code. There are also many fluctuations in districts between the figures for the year under report and those for the preceding year.

The number of appeals pending at the end of the year was 142, showing an improvement of 28 cases over the pending file of the previous year.

The average duration of appeals was highest in the Lahore district (28), and lowest in the Gurgáon district (4).

Appeals to Courts of Session.

61. The following table shows the amount of appellate business disposed of, and the mode of disposal for Courts of Session in each of the past three years :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	FOR DISPOSAL.						DISPOSED OF.																
							PERSONS.								TOTAL.								
	PENDING FROM PREVIOUS YEAR.		INSTITUTED.		TOTAL.				Appeals rejected under section 421, Criminal Procedure Code.						After directing further enquiry under section 428, Criminal Procedure Code.		Without directing further enquiry.		PENDING AT THE END OF THE YEAR.				
YEAR.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Died, escaped or transferred.	Appeals rejected otherwise than on the merits.	Without calling for files.	After perusal of files.	Sentence or order confirmed after hearing.	Sentence reduced or otherwise altered.	Sentence or order reversed.	New trial or commitment ordered.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Pending over three months.	Average duration.	Date of oldest case pending.
1893	98	203	6,231	7,349	6,329	7,552	11	105	54	2,757	1,915	860	1,454	72	86	178	5,983	7,050	260	324	...	12	13-10-93
1894	260	324	5,677	6,896	5,937	7,220	6	52	28	2,384	2,162	1,048	1,282	54	143	161	5,626	6,855	168	204	...	12	15-10-94
1895	168	204	6,233	7,726	6,401	7,930	57	74	31	2,417	2,418	1,178	1,481	37	81	94	6,134	7,599	186	237	...	11	6-11-95

62. The amount of appellate work in each Sessions Division during each of the past two years will be seen from the following table:—

Appellate work in each Sessions Division.

Sessions Division.	Criminal appeals for disposal.		Criminal appeals disposed of		Criminal appeals pending.	
	1894.	1895.	1894	1895.	1894.	1895.
Delhi	463	602	457	596	6	6
Umballa	303	408	286	376	17	32
Jullundur	166	204	159	198	7	6
Hoshiárpur	290	216	289	207	1	9
Amritsar	610	615	601	604	9	11
Siálkot	505	515	488	508	17	7
Lahore	427	407	412	402	15	5
Ferozepore	457	491	422	453	35	38
Mooltan	970	996	954	971	16	25
Jhelum	471	518	448	477	23	41
Ráwalpindi	277	342	264	339	13	3
Deraját	650	662	645	660	5	2
Peshâwar	348	425	344	424	4	1
Total ..	5,937	6,401	5,769	6,215	168	186

The average duration of appeals in Sessions Courts was 11 days, as compared with 12 days in the year 1894 The average duration was highest in the Ferozepore (21), and lowest in the Deraját (5), Division.

63. The following statements show the criminal revision work in District and Sessions Courts, and the manner in which it was disposed of for each of the past two years:—

Revision business.

A.—Revision work in District Courts.

1	2	3	4	5	6	7	8	9	10
Year.	Number of accused persons applying for revision.	Number of complainants applying for revision.	Number of persons whose cases the District Magistrate took up for revision on his own motion.	Total.	Applications rejected, including those which the Courts have refused to refer to the Chief Court.	Applications dealt with under section 436 or 437, Criminal Procedure Code.	Cases referred to the Chief Court under section 438, Criminal Procedure Code.	Applications pending.	Average duration.
1894 ...	493	1,535	70	2,098	1,412	521	57	108	1
1895 ...	603	1,969	160	2,732	1,962	600	105	65	11

B.—Revision work in Sessions Courts.

1	2	3	4	5	6	7	8	9	10
Year	Number of accused persons applying for revision.	Number of applicants applying for revision.	Number of persons whose cases the Sessions Judge took up for revision on his own motion.	Total.	Applications rejected, including those which the Courts have refused to refer to the Chief Court	Committed or further inquiry ordered.	Cases referred to the Chief Court under section 438, Criminal Procedure Code.	Applications pending.	Average duration.
1894 ...	636	680	33	1,349	1,122	102	80	45	17
1895 ...	760	706	11	1,477	1,144	154	121	58	14

Inspection of files

64. The following table shows the number of cases called for from Subordinate Courts and inspected by District and Sessions Courts, respectively, in the year 1895 :—

District	Number of cases called for from Subordinate Courts and inspected by the District Magistrate	Number of cases called for from Subordinate Courts and inspected by the Sessions Judge
Delhi	18	...
Gurgáon	197	...
Rohtak	46	...
Karnál	239	...
Umballa	...	12
Ludhiána	1,083	...
Simla	...	...
Jullundur	93	54
Hoshiárpur	408	105
Kángra	271	...
Amritsar	756	...
Gurdáspur	135	...
Siálkot	263	28
Gujránwála	35	...
Lahore	52	...
Ferozepore	...	6
Hissár	756	...
Mooltan	125	72
Jhang	217	...
Montgomery	112	...
Muzaffargarh	139	...
Jhelum	600	95
Gujrát	45	...
Shahpur	23	...
Ráwalpindi	124	5
Dera Ismail Khan	140	44
Dera Gházi Khan	177	...
Bannu	110	...
Pesháwar	221	49
Hazára	38	...
Kohát	40	...
Total	6,463	470

The District Magistrate of Ludhiána called for a very large number of cases (1,083). The extract from his report, quoted at page ix of the Appendix, shows that keen supervision is exercised in that district over the work of Subordinate Courts.

The District Magistrates of Umballa, Simla, and Ferozepore, and the Sessions Judges of Delhi, Amritsar, and Lahore are not shown as having called for and inspected any files. It must, however, not be overlooked that Sessions Judges and District Magistrates see a very large number of files of cases disposed of by lower courts in the course of hearing criminal appeals and applications for revision, and though such files are not shown as having been inspected they have, in fact, been examined and irregularities pointed out.

PART IV.—CRIMINAL BUSINESS OF THE CHIEF COURT.

Original trials.

65. Two cases involving three persons came before the Chief Court in the exercise of its original criminal jurisdiction; in one case the accused was acquitted and in the other the accused were convicted under section 304, Indian Penal Code, and sentenced to 6 months and four years' rigorous imprisonment, respectively.

Murder references.

66. The following statement shows the number of cases dealt with by the Chief Court as a Court of reference, under section 374 of the Code of Criminal Procedure, for each of the past five years:—

Year.	For disposal.		Disposed of.									Pending.		Average duration.
			Persons.							Total.				
	Cases.	Persons.	Died, escaped, &c.	Conviction and sentence confirmed.	Conviction affirmed but sentence modified.	Sentence affirmed but conviction modified.	Convicted and sentenced for a minor offence.	Acquitted.	Fresh trial ordered.	Cases.	Persons.	Cases.	Persons.	
1891	130	160	1	72	26	...	8	34	...	111	141	19	19	48
1892	133	177	...	79	15	3	13	39	...	109	149	24	28	40
1893	128	158	...	74	37	...	3	29	...	115	143	13	15	42
1894	122	144	1	56	23	1	5	20	1	96	107	26	37	42
1895	144	188	...	86	29	...	6	40	...	124	161	20	27	49

Institution of appeals.

67. The number of criminal appeals instituted in the Chief Court for each of the past five years was as follows:—

Year.	*Against the orders of Sessions Judges.*	*Against the orders of District Magistrates.*	*Total.*
1891	322	142	464
1892	340	267	607
1893	351	220	571
1894	360	231	591
1895	375	194	569

68. The nature of the sentences or orders appealed against for each of the past five years is shown in the following table :—

Nature of sentences or orders appealed against.

1	2	3	4	5	6	7
	Appeals from					
Year.	Sentence of death or transportation for life.	Sentence of imprisonment or transportation for seven years or upwards.	Sentence of imprisonment exceeding four years but less than seven years.	Sentence of imprisonment for four years or less than four years.	Orders of acquittal.	Total.
1891	184	122	82	76	...	464
1892	209	160	130	107	1	607
1893	203	127	115	124	2	571
1894	205	139	120	124	3	591
1895	216	131	115	104	3	569

69. The results of appeals decided in the Chief Court for each of the past five years were as follows :—

Results of appeals

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
	For disposal.						Number of persons disposed of.							Total.		Pending.			
Year.	*Pending from previous year.*		*Instituted.*		*Total.*													Average duration.	Oldest date.
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Died, escaped or transferred.	Appeals rejected.	Sentences or orders confirmed.	Sentences reduced or otherwise altered.	Sentences reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Cases.	Persons.	Cases.	Persons.		
1891	82	128	464	582	546	710	11	169	193	116	123	...	1	462	613	84	97	47	19-6-91
1892	84	97	607	751	691	848	1	277	215	123	122	...	7	613	745	78	103	44	30-6-92
1893	78	103	571	707	649	810	7	207	165	148	171	...	1	570	699	79	111	43	11-9-93
1894	79	111	591	774	670	885	8	177	233	173	133	...	1	566	725	104	160	45	8-8-94
1895	104	160	569	767	673	927	4	226	195	202	128	...	7	569	762	104	165	53	10-8-95

70. The following statement shows the number of revision cases disposed of and the manner of disposal by the Chief Court in each of the past five years :—

Revision cases disposed of by the Chief Court.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
	For disposal.										Persons disposed of.								Total.		Pending.			
Year.	*Pending from previous year.*		*Reported for orders under section 438, Criminal Procedure Code.*		*Instituted by petition under section 439, Criminal Procedure Code.*		*Taken up by the Court on its own motion section 439, Criminal Procedure Code.*		*Total.*		Died, escaped or transferred.	Rejected.	Sentences or orders confirmed.	Sentences enhanced.	Sentences reduced or otherwise altered.	Sentences reversed.	Proceedings quashed.	New trial ordered.					Average duration.	Date of oldest case pending.
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.									Cases.	Persons.	Cases.	Persons.		
1891	104	190	141	260	1,701	2,938	3	3	1,949	3,391	25	2,229	206	10	223	340	..	80	1,795	3,113	154	278	27	19-5-91
1892	154	278	154	318	1,806	3,168	9	9	2,123	3,773	18	2,280	384	6	260	493	...	35	1,938	3,476	185	297	27	12-7-92
1893	185	297	146	259	1,815	3,152	11	13	2,157	3,721	20	1,745	491	2	393	699	..	42	1,953	3,392	204	329	25	12-7-93
1894	204	329	129	194	2,120	3,731	6	7	2,465	4,261	10	2,318	594	5	344	557	...	39	2,249	3,867	216	394	30	25-7-94
1895	216	394	156	381	2,646	4,428	11	13	3,029	5,216	23	3,405	188	13	455	457	...	50	2,711	4,600	318	616	30	10-6-95

71. Forty-nine miscellaneous cases were disposed of by the Chief Court during the year under report, as compared with 55 in the preceding year.

Miscellaneous cases

72. The files of 38 cases were called for from the Subordinate Courts on the periodical returns and inspected by the Judges.

Inspection of files

73. Five Judges were employed in the Chief Court during the year under report.

Number of Judges employed

PART V.—GENERAL.

74. The Judges have in their Circular Memo. No. 4—646 G., dated the 21st February 1896, invited the attention of Magistrates to the remarks contained in paragraph 20 of the Hon'ble the Lieutenant-Governor's Review of the Criminal Justice Report for the year 1894, on the subject of the payment of compensation awarded under section 545 or 560 of the Code of Criminal Procedure, and directed that, when the order awarding compensation has become final and the amount has been recovered, it may be remitted to the person who is entitled to receive it by money order.

Compensation awarded under section 545 or 560, Criminal Procedure Code, to be remitted by money order

75. The reports received from the following divisions and districts call for special mention :—

Divisional and District Reports noticed

Division.	*District.*
Umballa.	Gurgáon.
Mooltan.	Ludhiána.
Pesháwar.	Gujránwála.
Deraját	Jhang.
	Bannu.

The usual extracts from Divisional and District Reports are given in the Appendix.

I have the honor to be,

Sir,

Your most obedient servant,

A. E. MARTINEAU,

Officiating Registrar.

PROVINCIAL STATEMENT No. I.—(Criminal).

STATEMENT SHOWING THE NUMBER OF OFFICERS EXERCISING JURISDICTION IN CRIMINAL CASES IN THE PUNJAB ON THE LAST DAY OF THE YEAR 1895, AND THE WORK DONE DURING THE YEAR.

Class of Court.	Area.	Population.	Number of Sessions Divisions.	Number of Districts.	Number of Tahsils.	Number of Officers.		Total number of cases decided.			
								Original.		Appeal.	
						European.	Native.	Regular.	Miscellaneous.	Regular.	Miscellaneous.
1	2	3	4	5	6	7	8	9	10	11	12
I.—Magistrates—											
Special Magistrates	110,667	20,860,913	13	31	126	29	19	2,339	646	4	...
Honorary Magistrates sitting singly: 2nd and 3rd class						...	81	7,697	4,585	...	...
Honorary Magistrates sitting singly: 1st class ...						2	25	5,682	2,934	...	...
Benches of Magistrates						...	133	8,104	3,242	...	...
Stipendiary Magistrates ... ... 2nd and 3rd class						21	246	42,651	35,262	...	...
Stipendiary Magistrates ... ... 1st class ...						37	98	31,352	28,541	347	...
Chief Magistrates of the District						31*	4	3,670	7,131	7,309	625
Total	...	...	...	...	...	120	606	101,495	82,341	7,660	625
II.—Court of Session	...	...	...	...	...	11	2	719	59	6,215	223
III.—Chief Court	...	...	...	...	...	4	1	126	49	569	...
Grand Total ...	...	...	...	...	...	135	609	102,340	82,449	14,444	848

* Includes Additional District Magistrates at Dera Ismail Khan, Dera Ghází Khan, Peshâwar, and Kohât.

PROVINCIAL STATEMENT No. II.—(Criminal).

STATEMENT OF OFFENCES REPORTED AND OF PERSONS TRIED, CONVICTED AND ACQUITTED OF EACH CLASS OF OFFENCE IN THE PUNJAB DURING THE YEAR 1895.

DESCRIPTION OF OFFENCE.				Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code. Without reference to the Police.	After reference to the Police.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Persons. Under trial during the year.	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped or transferred to another Province, or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
1				2	3	4	5	6	7	8	9	10	11	12	13
A.—Offences under the Penal Code.															
Offences against the State.	Chap.	VI.	Secs. 121 to 130	...	...	...	...	...	...	...	...	...	...	...	...
Offences against the Army and Navy.	"	VII.	" 131 to 140	3	2	1	...	...	1	3	...	3	...	...	...
Offences against the public tranquillity	"	VIII.	" 143 to 145, 149 to 151, 157, 158. Unlawful Assembly ...	96	36	14	...	46	46	514	21	177	305	...	11
			" 147, 148, 152 and 153 to 156. Rioting, &c.	1,451	367	192	82	810	736	5,901	170	2,385	2,827	3	416
			" 160. Affray	149	5	6	1	137	136	616	...	195	421	...	...
Offences by or relating to public servants.	"	IX.	" 161 to 169. By public servants	229	110	23	1	95	95	159	2	117	36	...	4
			" 161, 170 and 171. Relating to public servants	162	61	8	1	92	85	122	6	80	21	1	14
Contempts of the lawful authority of public servants.	"	X.	" 172 to 190	1,078	123	24	1	930	942	1,970	27	1,015	847	2	79
False evidence and offences against public officers.	"	XI.	" 194 to 200. False evidence or subornation, &c., of public servants	812	119	11	...	682	683	851	9	404	356	2	80
			" 201 to 229. Offences against public justice	1,037	182	36	10	809	791	1,313	12	638	591	7	65
Offences relating to coin and Government stamps.	"	XII.	" 231 to 254. Offences relating to coin	139	9	1	13	116	107	126	...	45	74	...	7
			" 255 to 263. Offences relating to stamps	18	1	2	...	15	15	21	...	10	11	...	...
Offences relating to weights and measures.	"	XIII.	" 264 to 267	46	2	2	...	42	44	61	...	34	27	...	...

Offences affecting the public health, safety, convenience, decency and morals.	" XIV.	" 269 to 278. Offences affecting public health	177	30	9	...	138	139	255	6	89	158	...		2
		" 279 to 289. Offences affecting safety	248	26	15	18	189	180	267	4	92	167		3	1
		" 290 & 291. Offences affecting convenience	319	126	10	...	183	178	489	18	216	248	...		7
		" 292 to 294. Offences affecting decency and morals ...	37	3	7	...	27	27	48	7	11	29	...		1
		" 294 A. Keeping lottery office or publishing proposals for lottery	2	1	...	...	1	1	4	...	...	4	...		...
Offences relating to religion.	" XV.	" 295 to 298	302	131	24	6	141	134	376	83	237	54	...		2
Offences affecting the human body.	" XVI.	" 302 and 303. Murder	632	7	25	47	553	507	1,160	...	636	337		6	181
		" 307. Attempt to murder	123	4	13	18	88	77	139	...	85	54	...		...
		" 304. Culpable homicide	232	5	3	37	187	196	367	...	150	199		1	17
		" 304 A. Causing death by rash or negligent act	58	1	...	11	46	44	57	...	20	34	...		3
		" 308. Attempt to commit culpable homicide	...	...	...	...	...	...	...	...	...	...	...		...
		" 305 and 306. Abetment of suicide	3	1	...	1	1	1	4	...	4	...	...		...
		" 309. Attempted suicide	173	1	1	23	148	139	141	...	33	107	...		1
		" 311. Thuggee, &c.	...	...	...	...	...	...	...	...	...	...	...		...
		" 312 to 315. Causing miscarriage	38	12	7	1	18	15	29	...	18	11	...		...
		" 316. Injury to unborn children	1	...	...	...	1	...	...	...	...	...	...		...
		" 317. Exposure of infants	40	8	7	4	21	8	9	...	3	6	...		...
		" 318. Concealment of birth by secret disposal of dead body	34	1	...	6	27	17	22	...	9	12	...		...
		" 325 to 331 and 333. Hurt with aggravating circumstances...	2,336	325	147	413	1,451	1,298	2,604	81	969	1,418		3	133
		" 323, 324, 332 & 334 to 338. Other cases	29,306	10,377	397	109	18,423	15,464	42,323	27,335	10,239	4,195		10	544
		" 341. Wrongful restraint	1,319	586	210	13	510	362	1,309	695	518	86	...		10
		" 342 to 348. Wrongful confinement	829	355	119	17	338	300	928	341	418	131	...		38
		" 352 to 358. Criminal force or assault	23,562	7,513	432	110	15,507	12,478	32,172	18,655	9,909	3,173		6	429
		" 364, 366, 367. Kidnapping or forcible abduction, with aggravating circumstances	155	71	36	10	38	32	92	...	73	9	...		10
		" 363, 365, 368, 369. Other cases	720	211	224	50	235	219	558	20	323	184		11	20
		" 370, 371. Slavery	26	6	9	...	11	11	16	...	11	5	...		...
		" 372 and 373. Buying or selling a minor for the purpose of prostitution	30	10	3	...	17	16	40	18	16	6	...		...
		" 374. Forced labor	24	6	1	...	17	12	13	1	7	4	...		1
		" 376. Rape	201	37	41	35	88	89	108	...	58	49	...		1
		" 377. Unnatural offences	127	4	6	33	84	71	86	...	44	40	...		2
Offences against property.	" XVII.	" 382. Theft with aggravating circumstances	82	13	6	17	46	33	77	...	54	17		4	2
		" 379 to 381 and 401. Other cases	19,019	3,110	3,567	1,170	11,172	7,631	11,836	111	5,264	6,227		15	217
		" 386 to 389. Extortion with aggravating circumstances ...	15	5	4	...	6	6	17	...	14	1	...		2
		" 384 and 385. Other cases	1,097	634	193	...	270	240	649	42	507	64		1	35
		" 394, " 392, " 393 — Robbery — With hurt	199	20	121	6	52	33	78	...	44	34	...		...
		" 394, " 392, " 393 — Robbery — Other cases	872	276	300	69	227	170	461	11	306	127	...		17
		" 394, " 392, " 393 — Robbery — Attempts	45	16	16	...	13	13	27	...	19	5	...		3
		" 396, " 397 & " 398, " 395, " 399, " 400 & 402 — Dacoity — With murder	8	...	...	...	8	3	13	...	9	1	...		3
		" 396, " 397 & " 398, " 395, " 399, " 400 & 402 — Dacoity — With attempt to cause death or grievous hurt	20	...	...	2	18	15	53	...	29	10	...		14
		" 396, " 397 & " 398, " 395, " 399, " 400 & 402 — Dacoity — Attempted robbery or dacoity when armed with deadly weapons	19	...	1	4	14	5	23	...	21	2	...		...
		" 396, " 397 & " 398, " 395, " 399, " 400 & 402 — Dacoity — Other cases	142	4	50	16	72	43	211	8	84	87	...		32
		" 403 and 404. Criminal misappropriation of property ...	1,012	373	92	...	547	529	873	38	466	340		2	27
		" 406 to 409. Criminal breach of trust	2,962	1,227	516	65	1,154	1,084	1,514	54	991	393		9	67
		" 411 to 414. Receiving or habitually dealing in stolen or plundered property	3,254	42	57	544	2,611	2,247	3,388	6	1,276	1,995		12	99

STATEMENT No. II—*continued.*

DESCRIPTION OF OFFENCE.				Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code. Without reference to the Police.	After reference to the Police.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Persons. Under trial during the year.	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped or transferred to another Province, or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
1				2	3	4	5	6	7	8	9	10	11	12	13
A.—Offences under the Penal Code—concld.															
Offences against property.	Chapter XVII.—*concld.*	Secs. 417 to 420.	Cheating	2,737	1,474	224	3	1,036	1,006	1,703	115	1,267	263	1	57
		„ 421 to 424.	Fraudulent deeds, or disposition of property ...	97	66	7	..	24	22	55	5	31	16	1	2
		„ 429 to 433 and 435 to 440.	*Mischief.* With aggravating circumstances ...	1,583	378	203	177	825	671	1,613	94	991	466	1	61
		„ 426 to 428 and 434.	*Mischief.* Other cases	4,916	1,910	224	33	2,749	2,381	6,420	2,551	2,429	1,328	...	112
		„ 459 & 460.	*Criminal trespass.* Resulting in death or grievous hurt ...	62	4	25	1	32	33	105	...	62	37	1	5
		„ 449 to 452, 454, 455, 457 & 458.	*Criminal trespass.* For commission of serious offences ...	13,514	271	381	606	12,256	2,852	4,667	18	1,823	2,062	20	144
		„ 453 & 456.	*Criminal trespass.* Other serious cases	347	38	37	5	267	256	339	1	227	104	1	6
		„ 447, 448, 461 & 462.	*Criminal trespass.* Minor cases	7,252	3,149	491	46	3,566	3,274	8,420	3,916	3,445	967	3	89
Offences relating to documents and to trade or property mark.	„ XVIII.	„ 465 to 471 and 474.	Forgery or uttering or possessing forged documents or papers	432	261	53	...	118	117	231	8	157	52	...	14
		„ 472 to 476.	Counterfeiting or making or possessing a counterfeit seal, &c., for purposes of forgery	16	1	1	...	14	7	16	...	6	7	..	3
		„ 477.	Fraudulently destroying or defacing a will or other document	30	18	2	...	10	10	21	...	20	...	...	1
		„ 482, 486, 487 and 488.	Using a false trade or property mark and knowingly selling property so marked ..	6	5	...	...	1	1	2	...	2	...	...	...
		„ 483 to 485.	Counterfeiting or making or possessing a die plate, or instrument for counterfeiting a trade or property mark	5	2	...	...	3	2	4	...	1	...	...	3
		„ 489.	Removing, destroying, &c., a trade or property mark with intent to cause injury	10	7	...	...	3	3	12	...	12	...	...	...
Criminal breach of contracts of service.	„ XIX.	„ 490 to 492	... ...	65	21	3	...	41	41	60	5	23	32	..	...
Offences relating to marriage.	„ XX.	„ 493 to 498	... ...	8,645	3,529	527	9	4,580	4,140	7 386	2,849	3,500	684	20	243
Defamation ...	„ XXI.	„ 500 to 502	... ...	762	328	35	1	398	379	790	373	277	124	...	16

Criminal intimidation, insult or annoyance.	„ XXII.	„ 506. The threat being to cause death or other grievous hurt	186	111	15	...	60	58	140	58	71	10	...	1
		„ 504 to 510. Other cases	2.774	1.146	65	5	1,558	1,430	2,767	1.752	748	246	1	20
		Total	138.459	39,314	9,282	3,850	86,013	64,431	149,144	59,526	53,559	32 538	147	3.374
B.—Offences under Special and Local Laws.														
Proceedings under the Code of Criminal Procedure—														
Security for keeping the peace			9,484	2.477	1,886	2	5,119	4,929	21,412	4,060	8,037	8,849	12	454
„ „ good behaviour			7,993	607	302	33	7,351	7,267	7,620	19	2,042	5,894	5	160
Breach of Laws relating to—														
Arms, Ammunition and Military Stores ... ...Act		XI of 1878	252	2	...	32	218	218	289	...	83	202	...	4
Canals ... . „		VIII of 1873	1,421	121	24	...	1,276	1,272	3,616	735	1,260	1,524	...	77
Cantonments, Military ... ... „		III of 1880	3,818	1	...	17	3.800	3,797	6,851	..	981	5,849	...	21
Cattle Trespass ... ... „		I of 1871	2,999	947	50	6	1,996	1.592	5.351	2,600	1,923	747	...	81
City Chaukidárs ... ... „		XX of 1856	263	21	...	...	242	242	485	15	117	353	...	...
Code of Civil Procedure .. .. „		XIV of 1882	2	...	...	..	2	1	1	...	...	1	...	...
Companies' Act ... ... „		VI of 1882	...	...	...	...	...	..		...	...	..	...	...
Contract—Workmen ... . „		XIII of 1859	968	225	...	...	743	650	1,302	674	508	105	...	15
Contract by workmen on Railways and other Public Works „		IX of 1860	19	...	...	...	19	16	16	...	16	...	...	...
Criminal Tribes and Eunuchs ... ... „		XXVII of 1871	620	1	...	11	608	457	489	...	40	444	2	3
Emigration ... ... „		VII of 1871	2	...	...	...	2	2	4	...	1	2	...	1
Excise on spirits and drugs ... ... „		XXII of 1881 & XVI of 1883	308	2	...	20	286	277	381	...	132	246	...	3
Factories ... ... „		XV of 1881	...	...	...	...	...	...	...	...	...	...	...	...
Farcy and Glanders ... ... „		XX of 1879	...	...	...	...	...	...	...	..	...	...	...	...
Ferries ... ... „		XVII of 1878	31	10	...	...	21	19	90	10	52	28	...	...
Foreigners ... ... „		III of 1864	...	...	...	...	...	...	...	...	...	...	...	...
Forest ... ... „		VII of 1878 & Act II of 1879	1,051	53	1	21	976	971	2,852	63	877	1,809	...	13
Gambling ... ... „		III of 1867	157	...	3	5	149	147	987	...	334	641	2	10
Hackney and Stage Carriages ... ... „		XVI of 1861 & XIV of 1879	508	2	...	...	506	503	745	2	222	521	...	...
License ... ... „		II of 1878	9		...	...	9	9	9	..	3	6	...	...
Marriages—Christian ... ... „		XV of 1872	...	...	...	...	...	...	...	..	..	...	...	...
Municipalities .. .. „		IV of 1873 & Act XX of 1891	2,216	39	...	...	2,177	2,176	2.915	39	522	2,316	6	32
Murderous Outrages ... ... „		XXIII of 1867 & IX of 1877 ...	...	..	...	...	...	.	...	..	...	...	...	...
Mutiny .. .. „		VII of 1867	...	...	...	...	...	...	...	...	...	...	...	...
Opium ... ... „		I of 1878	236	...	...	10	226	225	373	...	162	210	...	1
Pleaders ... ... „		XVIII of 1879	2	...	...	...	2	2	2	...	1	1	...	...
Police ... ... „		V of 1861	10,777	3	...	3	10,771	10,464	13,581	3	1,621	11,952	2	3
Post Office ... ... „		XIV of 1866	18	...	...	1	17	14	14	...	2	12	...	...
Printing Presses ... ... „		XXV of 1867	...	...	...	...	...	...	...	...	...	...	...	...
Prisons ... ... „		XXVI of 1870 & IX of 1894 ...	57	1	...	...	56	56	60	3	13	44	...	...
Prostitutes ... ... „		III of 1880	...	...	...	...	...	...	...	...	...	...	...	...
Punjab Courts ... ... „		XVIII of 1884	19	...	...	...	19	19	57	...	19	38	...	...
Punjab Laws ... ... „		IV of 1872	1,074	21	3	2	1,048	1,051	1.866	18	414	1,418	...	16
Railways ... ... „		IV of 1879 & Act IX of 1890	286	2	1	4	279	278	433	...	102	327	3	1
Registration ... ... „		III of 1877	18	...	...	...	18	18	41	...	12	23	...	6
Salt and Saltpetre ... ... „		XII of 1882	66	1	...	...	65	65	112	...	26	81	...	5
Stamps ... ... „		I of 1879	149	5	1	...	143	143	184	...	45	135	1	3
Telegraph ... . „		I of 1876 & Act XIII of 1885	7	...	...	...	7	5	5	...	1	4	...	...
Treasure Trove ... ... „		VI of 1878	2	...	1	...	1	1	1	...	...	1	...	...
Vagrancy, European ... ... „		IX of 1874	...	...	...	...	...	...	...	...	...	...	...	..
Wandering and dangerous Lunatics ... ... „		XXXVI of 1858	4	1	1	...	2	2	3	...	1	2	...	...
Court Fees .. .. „		VII of 1870	3	...	...	...	3	3	4	...	1	3	...	...
Vaccination .. .. „		XIII of 1880	67	8	...	...	59	59	69	...	6	63	...	...
Cruelty to Animals ... ... „		XI of 1890	25	...	...	...	25	25	29	..	4	25	...	...
Land Revenue and Tenancy ... ... „		XVI and XVII of 1887 ...	12	...	...	...	12	12	22	...	4	18	...	...
Murder of female infants ... ... „		VIII of 1870	2	...	...	...	2	2	2	...	2	...	...	...

STATEMENT No. II—*concluded.*

DESCRIPTION OF OFFENCE.	Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code. Without reference to the Police.	After reference to the Police.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Persons. Under trial during the year.	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted on other grounds.	Convicted.	Died, escaped or transferred to another Province, or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
1	2	3	4	5	6	7	8	9	10	11	12	13
B.—Offences under Special and Local Laws—concld.												
Breach of Chankidári rules Rule 43	66	...	...	...	66	66	93	...	34	59	...	...
Discovery of persons wrongfully confined, section 100 of Criminal Procedure Code	8	8	...	...	...	...	...	...	...	...	...	...
Frontier Crimes Regulations.												
Regulation VII of 1872, sections 3, 5 and 6	...	...	...	...	...	...	...	...	...	...	...	...
" IV of 1887, " 24 and 25	19	...	...	...	19	25	15	...	...	15	...	...
" " " " 31	15	...	...	...	15	15	19	...	10	9	...	...
" " " " 32	23	...	...	...	23	23	25	5	10	10	...	...
" " " " 36	26	...	...	...	26	26	36	...	5	30	1	...
" " " " 39	75	...	...	...	75	75	198	...	13	185	...	...
" " " " 40 and 39	354	...	...	...	354	354	1,051	7	129	914	1	...
" " " " 45	37	...	...	...	37	37	48	...	14	34	...	...
" " " " 35	33	...	...	...	33	33	101	...	6	95	...	...
Total	45,601	4,258	2,273	167	38,903	37,643	73,859	8,253	19,827	44,883	35	909
Grand Total	184,060	43,572	11,555	4,017	124,916	102,074	223,003	67,779	73,386	77,373	182	4,283

PROVINCIAL STATEMENT No. III.—(Criminal).

STATEMENT OF MISCELLANEOUS PROCEEDINGS UNDER THE CRIMINAL PROCEDURE CODE IN THE PUNJAB DURING THE YEAR 1895.

1	2	3	4	5	6	7	8	
	Total number for disposal (including pending from previous year).		Disposed of during the year.			Remaining under trial.		
				Persons.				
Nature of Proceedings.	Cases.	Persons.	Cases.	Dis-charged.	Convicted.	Cases.	Persons.	Remarks.
1. Proceedings against witnesses under sections 87 to 89 and 485	4	8	4	7	1	...	...	
2. Proceedings under Chapter VIII to prevent breach of the peace	5,212	22,298	5,125	12,254	9,589	87	455	
3. Proceedings under Chapter VIII, security for good behaviour	7,449	8,153	7,289	2,102	5,891	160	160	
4. Proceedings against local nuisances, Chapter X ...	271	855	266	665	118	5	72	
5. Disputes as to immoveable property, Chapter XII ...	218	740	211	593	128	4	19	
6. Frivolous or vexatious complaints summarily dealt with under section 530	1,691	1,848	1,691	8	1,840	...	...	
7. Non-attendance of jurors or assessors, Chapter XXIII	...	...	...	...	...	...	...	
8. Maintenance, Chapter XXXVI	1,492	1,494	1,479	1,242	239	13	13	
9. Forfeiture of bonds under Chapter XLII	412	519	406	188	325	6	6	
Total	16,749	35,915	16,474	17,059	18,131	275	725	

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS IN THE

Class of Tribunal	Number of persons for disposal.								Persons			
	Remaining at the end of the previous year.	Brought to trial during the year.						Total.	Died, escaped or transferred.	Discharged without trial.		Acquitted.
		Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.	Received on commitment or reference.	Received on transfer.			In consequence of the non-appearance of the complainant, or withdrawal of the complaint.	On other grounds.	
1	2	3	4	5	6	7	8	9	10	11	12	13
I.—Magistrates.												
Special Magistrates	63	1,159	160	3,355	399	...	...	5,138	.	802	250	1,484
Honorary Magistrates — 2nd and 3rd class ...	255	3,226	2,080	11,531	578	...	...	17,670	6	7,959	2,885	2,882
Honorary Magistrates — 1st class	137	3,694	1,396	5,189	229	..	1	10,646	10	2,178	2,394	1,196
Benches of Magistrates	167	5,895	562	7,264	432	...	...	14,320	4	5,290	1,416	1,407
Stipendiary Magistrates other than Chief Magistrates of Districts — 2nd and 3rd class ...	1,107	16,787	9,736	66,710	4,405	...	...	98,745	35	41,239	15,326	15,180
Stipendiary Magistrates other than Chief Magistrates of Districts — 1st class . ..	1,321	24,532	10,215	30,377	1,898	...	9	68,352	72	9,955	16,708	8,803
District and Divisional Magistrates—cases referred under section 349, Criminal Procedure Code.	...	1	...	...	...	257	...	258	1	1	11	47
Chief Magistrates of Districts — Under ordinary powers ..	198	3,422	596	1,767	464	...	9	6,456	57	210	1,701	949
Chief Magistrates of Districts — " section 30, powers ...	77	1,404	117	14	9	3	3	1,627	10	...	264	189
Total	3,327	60,120	24,862	126,207	8,414	260	22	223,212	195	67,634	40,955	32,227
II.—Courts of Session.												
Trials under Chapter XIX	120	...	...	...	...	918	..	1,038	2	..	...	316
References under section 34, Criminal Procedure Code.	1	...	...	...	...	202	...	203	...	...	...	4
Other references	2	...	...	...	...	140	...	142	2	...	...	6
Total	123	...	...	...	...	1,260	...	1,383	4	...	...	326
III.—Chief Court.												
Original trials	...	...	...	...	...	3	...	3	...	...	...	1
References under section 374, Criminal Procedure Code	37	...	...	...	...	151	..	188	...	..	...	40
Total	37	...	...	...		154	...	191	...	...	...	41
Grand Total	3,487	60,120	24,862	126,207	8,414	1,674	22	224,786	199	67,634	40,955	32,594

(a). Includes 41 persons referred to councils of elders
(b). Ditto 15 cases " ditto. ditto

MENT No. IV.—(CRIMINAL).

TRIBUNALS OF VARIOUS CLASSES IN THE PUNJAB DURING THE YEAR 1895.

DISPOSED OF.								NUMBER OF CASES DISPOSED OF.									
CONVICTED.									SUMMONS CASES.		WARRANT CASES.						
On regular trial.		On summary trial.															
Appealable sentence passed.	Non-appealable sentence passed.	Appealable sentence passed.	Non-appealable sentence passed.	Committed or referred.	Total.	Persons remaining at the end of the year.	Number of cases brought to trial during the year.	Enquiries under Chapter XVIII	Tried regularly.	Tried summarily.	Tried regularly.	Tried summarily.	Total.	Total number of cases pending.	Number of cases pending over three months.	Average number of days during which each case lasted.	Number of witnesses examined.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1,693	21	3	754	4	5,011	127	2,367	...	1,245	830	253	11	2,339	55	...	6	4,828
3,579	...	...	...	52	17,363	307	7,709	16	4,281	...	3,400	...	7,697	117	...	8	19,543
1,646	1,060	...	1,893	32	10,409	237	5,706	15	1,652	1,398	2,617	...	5,682	114	1	9	20,091
3,573	...	2,505	...	4	14,199	121	8,097	3	3,715	1,275	2,002	1,109	8,104	50	...	4	14,097
25,266	146	...	...	194	97,886	1,359	42,749	38	23,708	...	18,905	...	42,651	574	6	7	101,636
16,077	9,432	53	4,592	825	66,607	1,745	31,524	323	9,584	2,203	18,844	398	31,352	751	41	10	130,892
114	80	3	...	...	257	1	171	...	...	...	172	3	175	1	...	3	58
1,483	1,551	24	256	62	6,293	163	2,695	38	682	125	1,742	110	2,697	70	17	11	7,689
826	34	...	...	210	1,527	100	794	41	2	...	755	...	798	41	5	21	7,815
54,251	12,324	2,588	7,495	1,383	219,052	4,160	101,812	474	44,869	5,831	48,690	1,631	101,495	1,778	70	8	306,649
389	11	...	...	(a) 193	911	127	470	...	...	...	(b) 464	...	464	64	6	53	6,930
193	...	...	...	...	197	6	137	...	...	...	133	...	133	4	...	10	150
126	6	...	...	...	140	2	121	...	...	...	122	...	122	2	...	8	80
708	17	...	...	193	1,248	135	728	...	...	...	719	...	719	70	6	37	7,160
...	2	...	...	..	3	...	2	...	...	...	2	...	2	...	...	46	37
...	121	...	...	...	161	27	118	...	...	...	124	...	124	20	...	49	...
...	122	...	...	...	164	27	120	...	...	...	126	...	126	20	...	47	37
54,959	12,464	2,588	7,495	1,576	220,464	4,322	102,660	474	44,869	5,831	49,535	1,631	102,340	1,863	76	8	313,846

under Frontier Crimes Regulation IV of 1887.
ditto ditto ditto.

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY THE

Class of Tribunal.	Persons sentenced to												Persons sentenced to find or give		
	Death.	Transportation. For life.	Transportation. For a term.	Penal servitude.	Imprisonment, Rigorous. With solitary confinement.	Imprisonment, Rigorous. Without solitary confinement.	Imprisonment, Simple.	Forfeiture of property.	Fine. With imprisonment or transportation.	Fine. Without imprisonment or transportation.	Whipping. In addition to other punishment.	Whipping. In lieu of other punishment.	Sureties of the peace.	Recognizance to keep the peace.	Sureties for good behaviour.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
I.—Magistrates.															
Special Magistrates	...	...	...	...	108	75	52	...	100	2,228	2	7	...	...	...
Honorary Magistrates — 2nd and 3rd class	...	...	...	...	294	394	33	...	519	2,856	...	2	...	...	...
Honorary Magistrates — 1st class ...	...	...	...	...	652	256	26	...	568	2,081	11	113	216	48	307
Benches of Magistrates	...	...	...	...	133	129	18	...	134	5,764	...	34	...	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts. — 2nd and 3rd class	...	...	...	...	2,354	3,080	345	...	4,318	10,255	11	376	...	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts. — 1st class ...	...	...	...	...	4,863	2,200	284	...	4,626	9,063	187	826	7,253	876	4,840
District and Divisional Magistrates—cases referred under section 349, Criminal Procedure Code.	...	...	...	...	71	31	2	...	33	2	7	88	...	...	...
Chief Magistrates of Districts. — Under ordinary powers ...	..	...	...	...	399	287	25	...	378	463	22	100	1,014	182	744
Chief Magistrates of Districts. — " powers under section 30.	...	...	...	...	729	74	3	...	371	12	67	36	...	...	...
Total	...	...	...	...	9,003	6,619	788	...	11,102	42,624	307	1,582	8,483	1,106	5,891
II.—Courts of Session.															
Original trials	...	105	23	...	209	42	3	1	103	16	1	1	...	...	2
References under section 34, Criminal Procedure Code.	...	...	6	...	183	4	...	...	81	...	2	...	...	...	...
Other references	...	...	...	..	...	...	...	...	...	...	...	...	...	...	132
Total	...	105	29	...	392	46	3	1	184	16	3	1	...	...	134
III.—Chief Court.															
Original trials	...	...	...	...	2	...	...	...	...	...	...	...	...	...	...
References under section 374, Criminal Procedure Code.	86	30	...	...	1	4	...	...	...	...	...	...	...	...	...
Total	86	30	...	...	3	4	...	...	...	...	...	...	...	...	...
Grand Total	86	135	29	...	9,398	6,669	791	1	11,286	42,640	310	1,583	8,483	1,106	6,025

No. V.—(Criminal).

VARIOUS CRIMINAL TRIBUNALS IN THE PUNJAB DURING THE YEAR 1895.

Persons imprisoned in default of furnishing security for good behaviour.		Detail of punishment.																			
		Fine.										Imprisonment.									
												15 days and under.		6 months and under.		2 years and under.		Above 2 years.		Above 7 years.	
Rigorous.	Simple.	Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed.	Amount realized.	Amount ordered by way of compensation.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
...	...	2,168	219	1	...	...	...	12,560	12,302	568	317	47	37	124	15	12	...	..	.	...	...
...	...	2,784	567	22	2	...	...	21,898	17,823	2,190	1,241	152	22	536	11	...	...	...	.	...	...
118	9	2,922	559	51	17	...	...	27,593	21,608	4,449	2,678	60	6	460	28	505	1	1	..	...	...
...	...	5,747	144	5	2	...	...	11,384	9,944	1,126	579	43	9	219	9	...	...	...	.	...	..
...	...	19,649	3,737	160	22	...	...	1,63,003	1,35,518	17,145	9,419	1,091	230	4,322	115	21	...	...	..	...	...
1,852	81	9,149	3,976	418	142	4	...	1,98,904	1,32,070	31,443	14,214	681	121	3,867	149	4,445	95	12		...	...
...	...	8	26	...	1	...	...	979	161	51	...	1	...	37	1	67	1	...	..	...	...
60	...	364	241	100	115	20	1	62,534	51,736	30,434	19,294	53	5	240	16	333	1	120		...	..
...	...	43	227	83	30	...	...	17,681	7,512	4,965	1,305	2	1	49	2	253	...	499	..	...	..
2,030	90	42,834	9,696	840	331	24	1	5,16,542	3,88,674	92,371	49,042	2,130	431	9,854	346	5,636	101	632	.	...	...
...	...	7	71	20	15	5	1	10,660	4,917	1,750	404	1	2	19	1	72	...	128	.	31	...
...	...	5	39	34	3	..	...	6,875	1,587	1,108	748	...	...	3	...	7	...	177	.	...	...
125	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	61	...	64	.	...	...
125	...	12	110	54	18	5	1	17,535	6,504	2,858	1,147	1	2	22	1	140	...	369		31	..
...	...	...	...	...	...	..	...	...	...	...	...	...	...	1	...	...	...	1	..	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	1	...	4	.	..	...
...	...	...	...	...	...	...	...	...	..	...	...	...	...	1	...	1	...	5	.	...	...
2,155	90	42,846	9,866	894	349	29	2	5,34,077	3,95,178	95,229	50,189	2,131	433	9,877	347	5,777	101	1,006	..	31	...

PROVINCIAL STATEMENT No. V A.—(Criminal).

STATEMENT SHOWING THE PARTICULARS OF WHIPPING INFLICTED BY THE CRIMINAL TRIBUNALS OF THE PUNJAB DURING THE YEAR 1895.

Part I.

Showing whippings inflicted under sections 2 and 3, Act VI of 1864, in lieu of other punishments.

Offences for which awarded.	Number of stripes awarded.												Total.	
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	Adults.	Juveniles.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
In lieu of other punishments. (Sections 2 and 3, Act VI of 1864).														
1. Theft, as defined in Section 378, I. P. C. ...	23	2	165	...	209	2	167	5	50	3	131	3	624	139
1. Theft, as defined in " 380, " ...	5	...	29	...	60	...	64	...	11	1	34	1	156	49
1. Theft, as defined in " 381, " ...	3	...	11	...	23	3	11	...	6	...	7	...	49	15
1. Theft, as defined in " 382, " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
2. Extortion, as defined in ... Section 388, " ...	...	...	...	...	...	...	1	...	...	..	...	...	1	...
2. Extortion, as defined in ... " 389, " ...	...	...	...	...	...	...	...	...	...	...	1	...	1	...
3. Dishonestly receiving stolen property, as defined in Section 411, " ...	5	...	15	...	26	2	50	1	17	...	46	1	152	11
3. Dishonestly receiving stolen property, as defined in " 412, " ...	...	...	...	...	...	...	...	...	...	...	1	...	1	...
4. Lurking house-trespass, as defined in section 443, " ...	1	...	2	...	7	...	4	...	2	...	4	...	18	2
5. Lurking house-trespass, by night, as defined in section 444, " ...	1	...	4	...	8	...	8	...	3	...	14	1	35	4
6. House-breaking, as defined in section 445, " ...	1	...	10	...	13	1	13	...	2	...	18	2	55	5
7. House-breaking, by night, as defined in section 446 " ...	2	...	11	...	45	1	26	...	16	6	32	...	116	23
8. Offence under section 49, Act XXVI of 1870	...	...	...	...	...	...	...	...	...	...	...	...	...	...
9. Do. do. 19, Act XXVII of 1871	1	1	12	1	6	7	8	1	1	...	11	3	49	3
10. Do. do. 14, Act III of 1880 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
11. Unnatural offence, as defined in section 377	...	...	1	...	1	...	2	...	...	...	...	...	2	2
12. Section 376, I. P. C.	..	...	...	...	...	...	1	...	...	...	...	..	1	...
13. Section 417, "	1	...	...	...	...	...	...	...	...	...	...	...	...	1
14. Offence under Act IX of 1890, Railway ...	...	...	1	...	3	...	1	...	...	...	...	...	5	...
15. Section 241	1	...	...	...	...	...	...	...	...	...	...	...	...	1
16. Section 325	...	...	...	...	...	...	4	...	...	...	...	...	4	...
17. Act V of 1861	...	...	...	...	...	...	1	...	...	...	...	...	1	...
18. Section 448	...	...	1	...	...	...	...	...	...	...	...	...	1	...
19. Mischief, section 426	...	...	...	...	2	...	...	...	...	...	...	...	2	...
20. Section 332	...	...	...	...	...	...	...	...	...	...	1	...	1	...
Total	47	3	262	1	403	16	361	7	108	10	300	11	1,274	255

STATEMENT No. V A—*continued.*

Part II.

Showing whippings inflicted in addition to other punishments, sections 3 and 4, Act VI of 1864.

Offences for which awarded.	Number of stripes						Total.
	5 and under.	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.	
1	2	3	4	5	6	7	8
In addition to other punishments.							
(Sections 3 and 4).							
A.—Section 3.							
1. Theft, as defined in ... ... Section 378, I. P. C. ...	...	1	24	27	7	74	133
" 380, " ...	...	2	4	8	...	10	24
" 381, " ...	...	...	1	1	...	1	3
" 382, " ...	...	...	...	...	...	...	...
2. Extortion, as defined in ... Section 388, " ...	...	...	...	...	...	...	...
" 389, " ...	...	...	...	...	...	...	...
3. Dishonestly receiving stolen property, as defined in ... ... Section 411, " ...	...	1	2	2	3	10	18
" 412, " ...	...	...	...	...	...	...	...
4. Lurking house-trespass, as defined in ... ... Section 443, " ...	...	...	1	...	...	4	5
5. Lurking house-trespass, by night, as defined in ... ... Section 444, " ...	...	...	2	7	2	...	11
6. House-breaking, as defined in ... Section 445, " ...	1	...	2	2	1	4	10
7. House-breaking, by night, as defined in ... ... Section 446, " ...	...	1	4	8	1	34	48
8. Offence under section 19, Act XXVII of 1871	...	2	16	13	3	5	39
9. Offence under section 14, Act III of 1880	...	...	...	...	...	...	...
B.—Section 4.							
1. False evidence, as defined in ... Section 193, I. P. C. ...	...	...	...	...	...	...	...
" 194, " ...	...	...	...	...	...	...	...
" 195, " ...	...	...	...	...	...	...	...
2. False charge of unnatural offence, as defined in ... Sections 211 and 377, " ...	...	...	...	...	...	...	...
3. Assault, as defined in ... ... Section 351, " ...	...	...	...	...	...	...	...
4. Rape, as defined in ... Section 375, " ...	...	...	...	...	1	3	4
5. Unnatural offence, as defined in Section 377, " ...	...	...	...	...	...	1	1
6. Robbery, as defined in ... ... Section 390, " ...	...	...	...	...	...	1	1
7. Dacoity, as defined in ... ... Section 391, " ...	...	...	...	...	...	...	...
8. Attempt to commit robbery, as defined in Section 393, " ...	...	...	...	...	...	...	...
9. Hurt in committing robbery, as defined in ... ... Section 394, " ...	...	...	...	...	...	...	...
10. Receiving stolen property, as defined in ... ... Section 413, " ...	...	...	...	...	...	...	...
11. Forgery, as defined in ... ... Section 463, " ...	...	...	...	...	...	...	...
" 466, " ...	...	...	...	...	...	...	...
" 467, " ...	...	...	...	...	...	...	...
" 468, " ...	...	...	...	...	...	...	...
" 469, " ...	...	...	...	...	...	...	...
12. Lurking house-trespass, as defined in ... ... Section 443, " ...	...	...	1	...	...	...	1
13. Lurking house-trespass, by night, as defined in ... ... Section 444, " ...	...	...	...	...	...	...	...
14. House-breaking, as defined in ... Section 445, " ...	...	...	...	...	2	...	2
15. House-breaking, by night, as defined in ... ... Section 446, " ...	...	...	...	1	...	...	1
Offence under section 45, Act IX of 1894	...	...	...	3	...	...	3
Causing grievous hurt, section 326	...	...	...	...	...	1	1
Mischief by fire, section 435	...	...	...	...	...	1	1
Section 328	...	...	...	...	...	1	1
Total	1	7	57	72	20	150	307

STATEMENT No. V A—*concluded.*

Part III.

Showing whipping inflicted under section 5, Act VI of 1864, on juveniles for offences other than those specified in Parts I and II.

Offence.	Stripes.												Total.
	5 and under		6 to 10.		11 to 15.		16 to 20.		21 to 25		26 to 30.		
	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Section 323, I. P. C.	...	...	...	...	2	...	...	...	...	...	...	...	2
" 377, "	...	...	...	...	...	..	3	...	2	...	4	...	9
" 360, "	...	...	...	...	...	...	...	...	...	...	1	...	1
" 279, "	...	...	1	...	...	..	...	...	...	...	...	...	1
" 249, "	...	...	1	...	3	...	...	...	...	...	...	...	4
" 309, "	...	...	...	...	1	...	...	...	...	...	...	...	1
" 147, "	1	...	1	...	...	...	...	...	...	...	...	...	2
" 338, "	...	...	1	...	...	...	...	...	...	...	...	...	1
" 409, "	...	...	...	...	...	...	...	...	1	...	...	...	1
" 408, "	1	..	...	...	2	...	...	...	...	...	...	...	3
" 403, "	...	...	2	...	1	...	...	...	...	...	...	...	3
" 376, "	...	...	...	...	...	...	...	...	1	...	2	...	3
" 379, "	...	...	1	...	1	...	...	..	...	...	...	...	2
" 392, "	...	...	...	...	1	...	...	...	...	...	...	...	1
" 241, "	...	...	1	...	...	...	...	...	...	...	...	...	1
" 451, "	...	...	...	...	...	...	1	...	...	...	...	...	1
" 342, "	...	...	1	...	...	...	...	...	...	...	...	...	1
" 325, "	...	...	...	...	2	...	...	...	...	...	...	...	2
" 352, "	...	...	...	...	..	...	1	...	...	...	...	...	1
" 411, "	...	...	...	...	...	...	...	...	1	..	...	...	1
" 326, "	...	...	1	...	...	...	...	...	...	...	...	...	1
" 354, "	...	...	...	...	3	...	...	...	..	...	...	...	3
" 435, "	...	...	...	...	1	...	...	...	...	...	...	...	1
" 25, Act 7 of 1878 ...	...	...	2	...	...	...	...	...	...	...	...	...	2
" 380, I. P. C. ..	...	...	...	...	1	...	...	...	...	...	...	...	1
" 328, " ...	...	...	...	...	...	.	...	...	...	...	1	...	1
Act IX of 1890, Railway	1	...	2	...	...	...	...	...	...	...	...	...	3
Total ...	3	...	14	...	18	...	5	...	5	...	8	...	53

Part IV.

Showing the relative number of times whipping was awarded, as compared with other punishments, in cases in which whipping might have been awarded.

Punishments.	Number.	Remarks.
1	2	3
1. Total number of whippings awarded ...	1,889	
2. Total number of other punishments in cases in which whipping might have been awarded.	13,527	
3. Total number of all punishments in cases in which whipping might have been awarded (total of headings 1 and 2).	15,416	
4. Percentage of whippings on total number of all punishments (percentage of heading 1 on heading 3).	12	

PROVINCIAL STATEMENT No. VI.—(Criminal).

STATEMENT SHOWING THE RESULT OF APPEALS AND REVISIONS IN CRIMINAL CASES IN THE PUNJAB DURING THE YEAR 1895.

Tribunals.	Number of persons.											Average number of days during which each appeal lasted.
	Total number of appellants and applicants for revision before the courts.	Died, escaped, or transferred.	Appeals or applications rejected.	Sentence or order confirmed after hearing.	Sentence enhanced.	Sentence reduced or otherwise altered	Sentence or order reversed.	Proceeding quashed.	New trial or commitment ordered.	Referred for revision to the Chief Court.	Pending trial.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Appeals.												
To—												
District Magistrates	12,038	...	2,543	4,525	7	1,697	2,872	16	145	...	233	10
Courts of Session	7,930	57	2,522	2,418	1	1,177	1,481	4	33	...	237	11
Chief Court { By persons convicted	919	4	226	194	...	202	124	...	4	...	165	53
Chief Court { By Government from judgments of acquittal ...	8	...	...	1	...	...	4	...	3	...	...	58
Total	20,895	61	5,291	7,138	8	3,076	4,481	20	185	...	635	16
Revision.												
By—												
District Magistrates	2,732	...	1,962	...	...	...	...	...	600	105	65	11
Courts of Session	1,477	...	1,144	...	...	...	...	...	154	121	58	14
Chief Court	5,216	23	3,405	188	13	455	457	...	59	...	616	30
Total	9,425	23	6,511	188	13	455	457	...	813	226	739	13
Grand Total	30,320	84	11,802	7,326	21	3,531	4,938	20	998	226	1,374	...

PROVINCIAL STATEMENT No. VII.—(Criminal).

STATEMENT SHOWING THE USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS IN THE PROVINCE OF THE PUNJAB IN THE YEAR 1895.

Classes of courts in which Jurors or Assessors are employed.	Established or average number of Jurors or Assessors in each case, and prescribed qualifications.	Number of accused persons in Jury trials.				Number of accused persons in trials with Assessors.				Remarks.
		Tried.	As to whom the Judge			Tried.	As to whom the Judge			
			Approved verdict.	Did not approve of verdict.	Made reference under section 307, Criminal Procedure Code.		Agreed with all the Assessors.	Differed from one or more, but not from all the Assessors.	Differed from all the Assessors.	
1	2	3	4	5	6	7	8	9	10	11
Magistrates' Courts under Chapter X, C. P. C. ... Jurors	5	1	1	...	...	...	...	...	...	European trials.
Courts of Session — Jurors	5	2	2	...	...	...	...	...	...	Sessions trials.
Courts of Session — Assessors	3	...	...	...	...	814	652	79	83	Sessions trials.
High Court, Original (Criminal) Jurisdiction ... ... Jurors	9	3	3	...	...	...	...	...	...	Original trials.

Column 11.—Note in what classes of cases Juries and Assessors have been principally employed.

PROVINCIAL STATEMENT No. VIII.—(Criminal).

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF EUROPEAN BRITISH SUBJECTS IN THE PUNJAB DURING THE YEAR 1895.

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF

Description of offence.	Number of persons accused and brought before a Magistrate.						Died, escaped or transferred to other Province.	Number actually brought to trial.	Persons whose cases												
		Within the year.							By District Magistrates and other 1st class Magistrates.							By Courts of Session.					
	Remaining at the close of the previous year.	On complaint, sec. 191 (a), Criminal Procedure Code.	On Police report, sec. 191 (b), Criminal Procedure Code.	By Magistrate suo motu, sec. 191 (c), Criminal Pro. Code.	On transfer from other Province.	Total.			Received by transfer under sec. 451 (b) of the Code.	Convicted.	Acquitted or discharged.	Committed. To Court of Session.	Committed. To High Court.	Transferred by order under sec. 451 (b) of the Code.	Total, omitting entries in columns 10 and 15.	Received by transfer under sec. 451 (b) of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under sec. 449 of the Code.	Total exclusive of column 17.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Offences against the State, Chapter VI	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against the Army and Navy, Chapter VII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against the public tranquillity, Chapter VIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences by, or relating to public servants, Chapter IX	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...
Contempts of the lawful authority of public servants, Chapter X	...	...	...	1	...	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...
False evidence and offences against public officers, Chapter XI	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to coin and Government stamps, Chapter XII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to weights and measures, Chapter XIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the public health, safety, convenience, decency and morals, Chapter XIV	...	1	4	...	...	5	...	5	...	3	2	...	...	...	5	...	...	...	...	...
Offences relating to religion, Chapter XV	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Murder	...	...	1	...	...	1	...	1	...	...	...	...	1	...	1	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Culpable homicide	...	...	5	...	...	5	...	5	...	...	3	...	2	...	5	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Hurt	1	12	3	...	...	16	...	16	...	10	5	1	...	...	16	...	...	1	...	1
Offences affecting the human body, Chapter XVI. — Assault	...	13	1	...	...	14	...	14	...	5	9	...	...	...	14	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Forced labour	...	2	...	...	...	2	...	2	...	...	2	...	...	...	2	...	...	...	...	...
Offences against property, Chapter XVII. — Theft	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Extortion	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Robbery and dacoity	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal misappropriation	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal breach of trust	...	...	2	...	...	2	...	2	...	1	1	...	...	...	2	...	...	...	...	...
Offences against property, Chapter XVII. — Receiving stolen property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Cheating	...	1	2	...	...	3	...	3	...	1	1	...	...	...	2	...	...	...	...	...
Offences against property, Chapter XVII. — Mischief	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal trespass	...	2	...	...	...	2	...	2	...	...	2	...	...	...	2	...	...	...	...	...
Offences relating to documents and to trade or property mark, Chapter XVIII	...	...	...	1	...	1	...	1	...	...	...	1	...	...	1	...	1	...	...	1
Criminal breach of contracts of service, Chapter XIX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to marriage, Chapter XX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Defamation, Chapter XXI	1	1	...	...	...	2	...	2	...	1	1	...	...	...	2	...	...	...	...	...
Criminal intimidation, insult or annoyance, Chapter XXII	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...
Offences under Special and Local Laws	...	11	...	14	...	25	...	25	...	12	13	...	...	...	25	...	...	...	...	...
Total	2	45	19	16	...	82	1	81	...	35	40	2	3	...	80	...	...	1	...	2

No. VIII.—(Criminal).

EUROPEAN BRITISH SUBJECTS IN THE PUNJAB DURING THE YEAR 1895.

WERE DISPOSED OF							Number of cases.					
By High Court.			Total for all Courts.									
Convicted.	Acquitted.	Total.	Convicted.	Acquitted or discharged.	Total.	Number of persons under trial at the close of the year.	Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court for an order under sec. 450 of the Code.	Of these entered in col. 5 who applied under section 2, Act III of 1884, for transfer or committal of their cases.	Number of persons who applied to the High Court under sec. 526 of the Code for the transfer of their cases.
22	23	24	25	26	27	28	29	30	31	32	33	34
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	...	...	...	...	1	1	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	3	2	5	...	5	5	...	...	...	...
...	...	...	...	1	1	...	1	1	...	1	...	...
...	1	1	...	1	1	...	1	1	...	...	...	...
2	...	2	2	3	5	...	3	3	...	...	...	...
...	...	...	10	6	16	...	15	15	...	...	...	...
...	...	...	5	9	14	...	14	14	...	...	...	...
...	...	...	...	2	2	...	2	2	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	1	1	2	...	2	2	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	1	1	2	1	3	2	1	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	2	2	...	2	2	...	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	1	1	2	...	2	2	...	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	12	13	25	...	16	16	...	...	...	...
2	1	3	38	42	80	1	70	69	1	1	...	...

Subsidiary Table.

35							36			
Of the total number of persons shown in							Of cases shown in column 30.			
Column 16.			Column 21.		Columns 21 and 24		Disposed of by Magistrates.		Disposed of by Sessions Judges.	
Number who claimed to be tried by a mixed Jury, section 451 (a) (1) of the Code.	Number who did not so claim.	Number of those in column 35 (1), whose cases were transferred under section 451 (b) of the Code.	Number who claimed a mixed number of assessors, section 451 (2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed Jury, section 451 (1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
1	2	3	4	5	6	7	8	9	10	11
1	68	...	...	2	...	...	78	2	2	...

PROVINCIAL STATEMENT No. IX.—(Criminal).

STATEMENT SHOWING THE NUMBER OF DAYS THE CHIEF JUDGE AND EACH OF THE JUDGES OF THE CHIEF COURT, PUNJAB, SAT IN COURT AND AT CHAMBERS IN COURT-HOUSE DURING THE YEAR 1895.

1	2	3	4		5		6
Name of Judge.	Portion of year during which the Judge was, as such, present on duty.	Number of days on which the Judges sat in Court for hearing causes.	Number of days (if any) on which the Judges sat in the Court-house for the transaction of administrative business.		Average length of daily sittings.		Remarks.
			(a). Not included in column 3.	(b). Included in column 3.	(a). For hearing causes (column 3).	(b). For transaction of administrative business (column 4.)	
Mr. Justice Roe	1st January to 5th June and 14th August to 31st December 1895.	155	7	...	7 hours.	6 hours.	There is ordinarily one meeting in each month of the Judges for the transaction of the more important administrative business. The current administrative business is transacted from time to time or daily by the Judges. The figures in columns 4 (a) and 5 (b) show only the number of meetings of the Judges and their estimated average duration. The time spent by each Judge on current administrative business cannot be ascertained, nor is it always transacted in the Court-house. The holidays on which the Judges came to the Court-house to write judgments, &c., are not included in column 3.
Mr. Justice Frizelle	1st January to 20th November and 19th December to 31st December 1895.	93	9	...	Do.	Do.	
Mr. Justice Rivaz	Whole year.	201	7	...	Do	Do	
Mr. Justice Stogdon	Do.	191	4	...	Do.	Do	
Mr. Justice Chatterjee	Do.	195	3	...	Do.	Do.	
Mr. Justice Christie	6th June to 13st August 1895.	39	...	...	Do.		

PROVINCIAL STATEMENT No. X.—(Criminal).

STATEMENT OF ATTENDANCE OF, AND CHARGES INCURRED IN DIETING, WITNESSES IN THE DISTRICT COURTS OF THE PUNJAB, DURING THE YEAR 1895.

Districts.	Total number of witnesses who attended court.	Total number of witnesses examined.	Total number of witnesses dieted.	Number of witnesses dieted by		Total charges incurred in dieting witnesses by		Average cost of each witness dieted by		Average number of days each witness received diet money before appearance before a Magistrate.	Average number of days each dieted witness was before a Magistrate.	Number of witnesses discharged after								
				Police.	Magistrate.	Police.	Magistrate.	Police.	Magistrate.			One day.	Two days.	Three days.	Four days.	Five days.	Six to eight days.	Nine to fifteen days.	Sixteen days and upwards.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Delhi	8,513	8,309	2,925	1,328	1,597	265	977	0 3 2	0 9 9	1	1	7,759	673	76	2	3	...	...	...	8,513
Gurgáon	7,239	7,085	1,078	665	1,060	234	868	0 5 7	0 13 1	1	1	6,871	316	33	1	18	...	...	...	7,239
Rohtak	11,889	11,164	2,321	1,588	1,123	369	717	0 3 9	0 10 3	1	1	11,238	506	95	47	3	...	...	...	11,889
Karnál	7,980	7,755	1,515	801	1,233	215	577	0 4 3	0 7 6	1	1	7,781	166	5	28	...	...	...	...	7,980
Umballa	14,050	13,679	3,578	1,676	2,473	334	1,157	0 3 2	0 7 6	1	1	13,507	484	57	2	...	...	...	...	14,050
Ludhiána	10,084	9,497	4,124	272	3,852	65	2,095	0 3 9	0 7 5	1	1	9,421	572	91	...	...	...	...	...	10,084
Simla	4,098	3,767	590	...	590	...	410	...	0 11 1	...	1	4,090	8	...	...	...	...	...	...	4,098
Jullundur	9,573	9,367	3,015	1,148	2,628	300	1,137	0 4 3	0 6 11	1	1	9,202	300	67	4	...	...	...	...	9,573
Hoshiárpúr	11,325	10,498	3,819	1,289	2,726	403	1,585	0 5 0	0 9 4	1	1	10,952	325	48	...	...	...	...	...	11,325
Kángra	7,634	6,555	5,271	1,221	4,541	259	1,984	0 3 5	0 7 0	1	1	7,169	409	43	13	...	...	...	...	7,634
Amritsar	17,870	17,071	6,244	2,231	4,013	331	1,287	0 2 5	0 5 2	1	1	17,155	632	59	...	13	11	...	...	17,870
Gurdáspur	10,407	9,867	3,562	1,642	3,185	441	2,216	0 4 4	0 11 2	1	1	10,161	246	...	...	...	...	...	...	10,407
Siálkot	12,045	11,829	2,884	1,635	2,164	577	1,361	0 5 8	0 10 1	1	1	11,508	419	99	19	...	...	...	...	12,045
Gujránwála	8,612	8,505	3,365	891	2,531	311	2,033	0 5 7	0 12 10	1	1	7,634	686	218	74	...	...	...	...	8,612
Lahore	18,934	18,066	6,447	2,257	4,268	518	2,980	0 3 8	0 11 2	1	1	18,383	442	100	9	...	...	...	...	18,934
Ferozepore	19,285	18,699	3,179	71	3,136	13	2,396	0 3 0	0 12 2	1	1	17,694	1,310	230	58	16	25	12	...	19,285
Hissár	12,447	11,766	3,677	2,290	2,955	746	1,907	0 5 3	0 10 4	1	1	11,211	936	238	48	14	...	...	...	12,447
Mooltan	16,398	14,178	4,443	456	4,443	180	3,815	0 6 3	0 13 9	2	2	14,717	1,342	288	51	...	...	...	...	16,398
Jhang	8,432	7,157	2,496	1,635	2,238	588	1,733	0 5 9	0 12 4	2	2	6,865	1,090	354	110	9	4	...	...	8,432
Montgomery	7,967	7,967	4,379	2,449	1,930	506	1,438	0 3 4	0 11 11	1	1	7,196	486	228	46	11	...	...	...	7,966
Muzaffargarh	10,136	10,059	3,195	1,063	2,132	453	1,336	0 6 9	0 10 0	1	1	9,538	389	141	63	5	...	...	...	10,137
Jhelum	8,749	8,536	1,976	320	1,656	108	1,561	0 5 5	0 14 2	1	1	7,563	593	345	248	...	...	...	...	8,749
Gujrát	8,627	7,780	2,100	1,407	693	431	304	0 4 10	0 7 2	1	1	7,910	570	117	30	...	...	...	...	8,627
Shahpur	10,231	9,665	3,098	706	2,784	230	2,264	0 5 3	0 13 0	1	1	8,767	1,081	285	66	22	10	...	...	10,234
Ráwalpindi	12,185	11,885	3,330	871	2,882	273	2,940	0 5 0	1 0 7	1	1	11,420	552	193	20	...	...	...	...	12,185
Dera Ismail Khan	8,217	7,952	2,696	206	2,490	54	2,960	0 4 2	1 3 0	1	1	7,465	482	250	20	...	...	...	...	8,217
Dera Ghází Khan	9,009	8,692	3,195	264	2,934	61	1,550	0 3 8	0 8 6	1	1	8,524	375	46	54	...	1	9	...	9,009
Banna	7,584	6,974	2,926	1,309	1,750	291	1,130	0 3 7	0 10 4	1	1	6,869	505	167	30	13	...	...	...	7,584
Pesháwar	12,880	11,704	2,966	252	2,714	71	1,672	0 4 6	0 9 10	1	1	12,146	654	62	18	...	...	...	...	12,880
Hazára	5,810	5,789	1,028	710	854	155	437	0 3 6	0 8 2	1	1	5,593	135	48	34	...	...	...	...	5,810
Kohát	5,032	4,892	1,995	549	1,615	123	1,030	0 3 7	0 10 2	1	1	4,461	359	124	88	...	...	...	...	5,032
Total ...	323,242	306,649	97,409	33,202	75,134	8,905	49,857	0 4 3	0 10 7	1	1	300,710	17,043	4,107	1,183	127	51	21	...	323,242

APPENDICES TO THE CRIMINAL REPORT FOR THE YEAR 1895.

EXTRACTS FROM DIVISIONAL AND DISTRICT REPORTS.

APPENDIX

Extracts from the Divisional and District Reports on the administration of Criminal Justice during the year 1895.

I.—GENERAL REVIEW OF CRIME.

DISTRICT MAGISTRATE, AMRITSAR.

(Mr. A. Kensington).

It must be admitted that in round numbers crime of all kinds has increased during the year by from one-fifth to a quarter. The increase is, however, very largely under the head of petty crime. The generally received explanation is, that the rains failed more or less both in the summer and autumn. The people found time hanging heavy on their hands, and took to quarrelling among themselves in the intervals during which they would in normal seasons have been fully occupied with agricultural operations.

This explanation is reasonable enough as regards the bulk of the increased crime falling under the heads of petty hurt and assault. It is well known that the passions of a Jat population run high in seasons of unusual heat and drought, and beyond this the failure of rain has a direct tendency to increase the number of hurt cases. Owing to the frequent disputes about irrigation every available drop of water becomes valuable. The distribution is jealously watched by sharers in a well or canal cut, and petty encroachments on another's share, which would ordinarily pass unnoticed, rapidly lead to a violent quarrel in which sticks are freely used. It is a mistake to attach too much importance to crime of this kind, and in considering the total figures for the year a large deduction should be made on this account.

The more serious feature in the figures is the increase under the head of burglary which may be taken as an indication that the criminal classes in the district again want looking after sharply. The figures will be noticed especially under the next head. There has been a large increase in both serious and petty cases of the kind, and the crime was commoner in 1895 than for several years past. I can only attribute this to increasing unwillingness during the same period to use the security provisions of the Criminal Procedure Code as a means of holding bad characters in check. The number of cases in which investigations have been made, with a view to taking security, has been steadily reduced from 296 in 1892 to 92 in 1895. I think that the pendulum has swung too far, and this is certainly the opinion among the people themselves as well as among police-officers and Magistrates who live away from head-quarters. Careful enquiries have been made during the last five months. Lists of the more noted bad characters of each thána have been drawn out and revised, and the most experienced Magistrate of the district will very shortly take up the cases finally selected. The total number of cases will not be large, but there is good reason to hope that the result will be to prevent any general epidemic of crime such as at one time recently appeared to be imminent. The effect of even the preliminary enquiry is already being felt, and I hear on all sides that what may be called the professional criminal classes are again realising that crime may be a risky pursuit.

My conclusion under this general head is that the district has not actually got out of hand, but that it has been very near it. A little more and we should have had really serious trouble, and the criminal administration will still want special attention for some time to come.

SESSIONS JUDGE, LAHORE.

(Colonel C. H. T. Marshall).

I am unable to agree with the District Magistrate in thinking that the increase in crime is partly due "to our present system of appeal and revision." I consider that the Appellate Courts form a wholesome check upon Magistrates in many cases and a safeguard for the people. The District Magistrate has made a very unfortunate remark in writing, that Sessions Judges act "both as counsel for the accused and Judge." I feel sure that no Sessions Judge ever sets aside a conviction unless there is a clear case in favor of the accused. As regards the lessening of sentences it is at times necessary to do so in dealing with appeals from Native Magistrates and inexperienced European Officers.

It might be of advantage that the Crown should be represented, but I doubt if the great expense which it would entail would meet with concurrent advantage.

The percentage of complaints thrown out *in limine*, 28·7 per cent., indicates that care is taken in examining complainants and their evidence before summonses are issued.

DISTRICT MAGISTRATE, LAHORE.

(Mr. A. Meredith).

The increase in crime generally is due partly to the good Rabi of last year, but partly also, I firmly believe, to our present system of appeal and revision and to the manner in which sentences are reduced or convictions set aside by our Appellate Courts. An improper conviction, of course, cannot be upheld nor a manifestly excessive sentence be maintained; but I do think our Appellate Courts do not realize the wide spreading effect that the frequent altering of sentences of the Lower Courts has in the country side. It is little encouragement to the Magistrates in their endeavours to keep down crime to see a Judge of an Appellate Court acting both as counsel for the accused and as Judge, while the effect that such an attitude has on the criminal population can be easily imagined. Another defect in our present system is, that the Crown is so seldom represented in our Appellate Courts; a clever Barrister or Pleader with no one opposed to him on the other side can frequently succeed in giving an impression of a case to a Judge which he would not hold for a moment if he had heard counsel for the prosecution. The Chief Court has ruled that Government Prosecutors will not be heard in that Court; the procedure to obtain the services of the Government Advocate is cumbersome and involves a special report on each case sent up, and the result is that in a large number of cases the Crown is unrepresented. I can see no reason why the Government Prosecutor of each district, who is frequently a Barrister, if not an intelligent Pleader, and who has probably had charge of the case from its initial stage, should not be heard in the Chief Court as much as the Pleader for the accused, whom the Judges are bound to hear, whoever he may be; and I think that steps should be taken to ensure the appearance of the Government Prosecutor in any Appellate Court.

DISTRICT MAGISTRATE, BANNU.

(Mr. R. E. Younghusband).

There has been a decrease of 277 cases or 6·7 per cent. as compared with the year 1894. There has been a steady decrease in reported crime now for some years past, as will appear from the following table:—

Year.	*Total number of offences reported.*
1891	4,784,
1892	4,096,
1893	4,215,
1894	4,139,
1895	3,862,

Since 1891 reported crime has decreased by over 19 per cent and the decrease has been on the whole gradual and sustained. I only joined the district shortly before the end of the year, and feel some diffidence in giving my opinion as to the true causes of the decrease. I believe it to be due first to a succession of good harvests, and secondly, to sustained efficiency in the Criminal and Police administration and to improved control of the frontier Wazirs. The harvests of 1895 were not so good, the prospects of the approaching Rabi are unfavourable, and there has been a considerable rise in prices. This was accompanied by a recrudescence of crime in the last two months of 1895 and the commencement of 1896, and it seems that we have here a striking example of cause and effect. It is beyond question that there has been an improvement in the criminal administration of the Miánwáli Subdivision since a second Assistant was posted to it about 12 or 15 months ago. The entire charge of this Subdivision, which contains two tahsíls, in Criminal, Civil, Revenue and executive matters was too much for a single officer, and one or other department of his work was sure to be neglected.

The number of cases summarily rejected by Magistrates or struck off the register on the application of the police has fallen from 943 in 1894 to 788 in 1895, or from 23 per cent of total reported cases to 20 per cent during the same period. This proportion is much below the average of cases rejected *in limine* for the whole Province; which has since 1889 varied from 30 to 32 per cent. My predecessor, Mr. Anderson, paid special attention to this subject and frequently instructed the Subordinate Magistrates to exercise the powers conferred by section 203, Criminal Procedure Code. But changes in the *personal* of the officers attached to the district has somewhat lessened the effect of his instructions.

II.—OFFENCES CLASSIFIED UNDER THE INDIAN PENAL CODE.

DISTRICT MAGISTRATE, KARNAL.

(Mr. P. D. Agnew).

Hurt and theft show increases of 16·14 and 11·87 per cent, respectively, so far as the number reported is concerned, although the number returned as true exhibits increases of 5·32 and 8·54 per cent only. An unsatisfactory feature is the increase of

16·24 per cent in the number of burglaries (section 457) admitted to have occurred, for this shows a real increase in crime for which I am unable to account. The reasons for this increase are properly matter for comment when reviewing the Police Report rather than when criticising the working of the Courts. They are briefly as follows :—

(1) the presence of an unusual number of wandering gangs of bad characters in the district during the year;

(2) the leniency shown to the criminal tribes till lately;

(3) the presence in the district of a larger number than usual of old offenders who have served their sentences in various jails. I noticed this fact especially in dealing with cases under section 30 powers during the year.

As regards petty cases the chief increase in the number of cases reported is under heads 33 and 45 of Statement No. II.

I attribute the larger number of institutions under head 33 largely to the unsatisfactory way in which two or three of the Subordinate Magistrates conduct the business of their Courts. Very many of these cases have been instituted in the hope on the complainant's part, sometimes a not unfounded one, of special favour on the Magistrate's part in dealing with the case.

The increase in complaints of theft is due partly to the above cause and partly to a real increase in cattle theft occasioned, no doubt, by the scarcity of fodder which has compelled owners to send their cattle long distances from home for grazing purposes. Such cattle frequently get stolen owing to imperfect supervision on the part of herdsmen.

SESSIONS JUDGE, JULLUNDUR.

(Sardar Muhammad Hyat Khan, C.S.I.)

I would suggest a Register being kept up by the District Superintendent of Police of all persons who co-operate with and help the police in the detection of crime. The services of such persons should be brought to the notice of the District Magistrate at the end of every year and he should reward them or recognize their services in some suitable manner But this system, if introduced, should be carefully watched, so that no innocent persons might in any way be sacrificed to obtain a reward or recognition of services.

DISTRICT MAGISTRATE, JULLUNDUR.

(Mr W. C. Renouf).

Under orders issued by one of my predecessors a large number of compoundable cases are referred to zaildárs and other respectable and influential persons under section 202, Criminal Procedure Code, for enquiry, but really with a special view to obtaining an agreement out of Court. I see no objection to this as long as the references are well chosen, and as long as the other duties of the zaildars are not unduly interfered with. The idea of getting this class of case settled by what practically amounts to arbitration is a very good one. It saves the parties money and prevents a lot of ill-feeling which would result from an adverse decision in a Court of law, and doubtless it also often leads to the settlement of civil disputes which would otherwise be taken into Court. I have received no complaint from zaildárs that their time is too much taken up by this work. The system should, however, be carefully watched so as to check and prevent abuses.

This system would not tend to diminish the number of complaints of petty assault and trespass as much as a strong use of section 203, Criminal Procedure Code, or of section 560, Criminal Procedure Code.

The offences reported under sections 465 *to* 471 *and* 474, forgery, have increased from 33 in 1894 to 50 in the year under report; 42 of these were, however, rejected *in limine* and only 8 returned as true, while in 1 case only was a conviction made, one person being convicted and the rest discharged or acquitted. This is a very unsatisfactory class of case to try, as the offence is difficult to prove where the executor of a deed is generally illiterate. His mark is worth nothing, and he is at liberty to deny execution at any moment, and further overreach the other party by filing a complaint that a deed has been forged against him. Mr. Douie started a system by which deed-writers should be provided with registers in a proper form, leaving a column for the thumb mark of the executing party. The thumb mark is also to be affixed to the deed instead of the usual mark. I have found while in camp that a certain number of deed-writers have very willingly adopted this procedure. The rest are willing to do so if supplied with the necessary appliances. I shall arrange to make the

registers and the printer's ink which they require more easily obtainable. The advantage of a thumb mark on the deed is obvious, as it is even more conclusive evidence of execution than the most characteristic signature. I have no doubt but that I shall succeed in making the practice of taking thumb marks on deeds general throughout the district. This will not, of course, prevent anybody from executing a deed without a thumb mark. But in time no cautious person will accept a deed unless the person executing has imprinted his thumb mark, and the trial of forgery cases will become much easier.

DISTRICT MAGISTRATE, AMRITSAR.

(Mr. A. Kensington).

Out of the reported cases under the Indian Penal Code, 38 per cent were rejected *in limine*. Out of the balance of 5,065 admitted to have occurred, 3,567 were brought to trial, but in these convictions were obtained in 882 only, or barely 25 per cent, the worst result shown during the five last years in the district. This bad working, as a whole, is principally due to the very large number of cases of assault and petty hurt. The Magistrates trying these cases are necessarily often very inexperienced, and in spite of repeated instructions they are not as careful as they should be about rejecting complaints in really petty cases before proceeding to formal enquiry. We cannot be surprised at this. I have little doubt that the proper way to deal with these cases is to refuse to take the complaint when a man rushes into Court fresh from a sudden quarrel, even though he may be able to show that he has been roughly used. If he is sent back to his village to think over it, and get his lambardárs to deal with it, the matter will generally settle itself much more satisfactorily than if he persists in standing out for a legal remedy, with the endless chain of reprisals and countercharges which inevitably follow. To a certain extent the District Magistrate can do something to choke off useless complaints in this way at the start. But even his hands are much tied, and Subordinate Magistrates cannot be expected to take a strong line of the kind. It is difficult to make a change when we have so long given in to the dangerous doctrine that every wrong has its legal remedy, and there may be some risk in leaving too much to Magisterial discretion, but I should myself like to see more latitude allowed in the matter of taking complaints, and believe we should do less harm in the long run by refusing those which are obviously futile, without formal orders, than by proceeding in strict accordance with the Code.

* * * * *

The only other class of cases requiring special notice is the continuous increase of offences under section 498, Indian Penal Code. The general result of these cases is most unsatisfactory. It is easy enough to make up a *primâ facie* case justifying enquiry under the procedure as at present laid down, but in the great majority of cases the prosecution is got up out of pure spite, and the mischief is done when formal enquiry is held. Even where there is a substantial grievance conviction is extremely difficult, and the chance of its holding good in an Appellate Court is but small. It appears to me unfortunate that we attempt to deal with these cases at all. They are commonest among the lowest classes, and I really do not know on what ground we are justified in putting the elaborate machinery of the criminal law in operation for settling (for instance) the matrimonial disputes of Chuhrás. If it is hopeless to think of eliminating section 498 altogether from the Penal Code, the only remedy appears to be to insist on much more free rejection of these complaints *in limine* and to support the Lower Courts whenever possible in this course.

DISTRICT MAGISTRATE, GURDASPUR.

(Mr. J. R. Maconachie).

* * * * *

Summing up the general features of the statistics given above we find that, while the number of offences reported under the Penal Code rose by 714, the number under Local and Special Laws fell by 387 and Miscellaneous by 3, while the number of cases struck off by the Courts of their own motion increased by 213, and those struck off on application of the police by 32, leaving as net result only a trifling increase of 79 cases on those of last year for enquiry on the merits. A further winnowing, however, occurred, as 232 fewer cases actually came to trial. The general conclusion arrived at from a study of these figures is a fear that our Courts are now using excessive severity in the preliminary stages of Magisterial work, and that many real grievances and injuries are stifled in the Courts without fair enquiry. And this is also the feeling engendered by my personal intercourse with the people, which is very free and unrestricted and reaches, I think, all classes which come into our Courts. At the same time it is not easy to suggest a remedy. It requires only a moderately intelligent Magistrate to draw up a record (which shall be unimpeachable on revision) discharging the accused, or refusing to summon him, and it is really impossible for any supervising authority to deal with anything but a small fraction of such cases. The present state of things is a reaction from the too hasty summoning of

defendants and accused, which has in former years incurred the censure of superior authority. But I cannot but think that the present is worse than the former evil, and it seems more helpful to our people to draw attention to probable errors in Magisterial procedure than to speculate as to causes of variations in crime which really may not exist There is, I fully believe, no solid reason for concluding that the actual amount of crime in the district has of late years varied in any considerable degree.

DISTRICT MAGISTRATE, GUJRANWALA.

(Mr. J. R. Drummond).

Murder and Culpable Homicide.—I have, from time to time, examined all the cases except one or two that I could not get from the record-room for fresh reference, and have analysed most of these returned as *murder* in dealing with the Police Report.

It would burden this Report unduly to repeat that analysis, which tends to show that the increase in murders is attributable to certain special crimes arising out of new or temporary conditions. For instance, the Sohian murder (Queen Empress v. Pir Mal and six others convicted by the Sessions Judge) in which the accused were ultimately acquitted in the Chief Court, though there has been found to be much doubt as to the identity of the assailants, was to all intents and purposes a murder, and an agrarian murder, but the circumstances are obscure, and the motives probably were complex. Moreover, the suspicions of the police were almost certainly diverted from one series of culprits It occurred before I received charge of the district, and in so far as it gave vent to a sudden outburst of class fury against a bad specimen of the money-lending community, the agitation seems to have subsided very quickly. A case of this stamp is so far exceptional. Then there were three cases in which women or young girls were destroyed by their relations as a species of revenge upon society or to spite connexions. These were very atrocious, and I think exceptional offences, but they are attributable in part to a spread of morbid notions among certain classes of the population.

One very bad and deliberate murder of a wife by her husband passed undetected, and no legal evidence could be obtained when the facts ultimately came to knowledge. This case is apparently not shown in the returns, possibly, because it was not formerly investigated. In another case, where the relatives of a missing lad accused a powerful chaudhri of having made away with him, remains were dug up, were considered to be those of a woman by the medico-legal officer, but this is probably an undetected murder also.

There is too much reason to believe that in this district murders have passed undetected to a most deplorable extent, and two out of three of the worst cases in the list for 1895 were brought to justice, in all likelihood, only because some encouragement has been afforded since 1894 to the well-disposed to give information and assistance. The conviction of a ruffian named Faqír Chand for what was really a most brutal murder on the 11th September 1894, by the Sessions Court, (though the offence of grievious hurt only was established) has had, I believe, a very great effect in this direction.

DISTRICT MAGISTRATE, MOOLTAN.

(Mr. T. J. Kennedy).

While there has been a decrease in the number of these minor offences there has, unfortunately, been an increase in more serious cases, the cases of admitted murder having increased from 9 to 13, of attempts at murder from *nil* to 1 and of culpable homicide from 1 to 6. I am afraid that the impunity enjoyed by the criminals is, to some extent, responsible for the increase in these classes of crime. In the present year not a single person was hanged for murder, and only two men were sentenced to transportation for life. The wide wastes and the broad rivers offer facilities in this district for murder, and render detection difficult. The very strained relations between money-lenders and agriculturists in the Lodhrán and Mailsi tahsíls are also, I think, responsible for three murders which are proved to have been committed, two belonging to the Mailsi and one to the Lodhrán tahsíls.

SESSIONS JUDGE, JHELUM.

(Mr. D. C. Johnstone).

In Jhelum there has been a decrease under assaults, thefts and burglaries, and a noticeable increase under false evidence. This is satisfactory. An occasional crusade against the professional witness is very desirable.

Examination of the figures for Gujrát and Shahpur, which, as pointed out under head I, require analysis, affords the following information :—

Gujrat.—The number of offences reported has increased by 951 or 21½ per cent. Of this number we find 250 cases under sections 352—358, while convictions were fewer than in 1894. They seem to have been trifling cases and the prosecution of them was singularly unsuccessful, only 109 persons out of 1,558 brought to trial under these sections having been convicted. Secondly, we find an increase of 240 in cases reported under sections 379, 380 and 381, while the cases brought to trial have increased only by 49 Thirdly, the increase of 120 in reports of offences relating to marriage is remarkable and there have been also increases under most of the sections of the Indian Penal Code; the most important exceptions being sections 160, 201—229, 302, 304, 417, 447—452, 454, 455 and 457. The offences admitted to have occurred have not increased in anything like the same proportion; and the extension of the false reports over so many different kinds of offences makes explanation difficult. The wholesale dismissal of complaints under section 203, Criminal Procedure Code, suggests possible failure of justice; but the only test afforded by the returns is the comparative frequency of applications for revision of such dismissal orders. If these are numerous, the inference that there has been want of care is strengthened; if few, other causes must be sought for. As a matter of fact only 80 applications by complainants for revision have been made in 1895, of which 60 were rejected. Something like 3,000 persons were discharged without trial owing to non-appearance of complainants. This being so, I cannot help thinking that compensation was not awarded by the Magistrates to accused persons with sufficient frequency. Lastly, except in theft cases, the great majority of dismissals under section 203 have been effected without reference to the police. Had many of these been wrong dismissals, we may be sure that they would have produced a large crop of revision petitions, which we do not find; and on all grounds it seems clear, even if we allow far better registration by the police, that there has been a large increase in false complaints. For these the reason given by the District Magistrate is probably largely true and sound: for some unknown reason the people have suddenly taken, in an increased degree, to making criminal complaints in order to gratify revenge and to put pressure upon persons who have in some way injured the complainants and who refuse to make payment of debts or other expected reparation.

Shahpur.—Offences reported but not found to have occurred have shown a tendency to increase during the last five years. The increase, however, is not very great, and may be due to improved registration. It is also noticeable that in 1893 and 1894 offences found to have occurred show substantial reductions and the figure for 1895 is little in excess of that for 1892. The increase is mainly under theft and receiving of stolen property It is notorious that many cattle-theft cases never came to the ears of the police; and it is therefore impossible to say that thefts have increased, as a matter of fact, in this district. I am inclined to think that they have not increased in any marked degree, though the unfavourable summer season of 1895 may have caused some slight increase. In this district also it is worthy of remark that the large number of dismissals under section 203, Criminal Procedure Code, of which the vast majority were ordered without reference to the police, produced only 82 applications for revision.

DISTRICT MAGISTRATE, BANNU.

(Mr. R. E. Younghusband).

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Of the 51 murders 35 occurred in the Bannu tahsíl, 16 of them in the Mírián police-station. Several of these were the work of Bakka Khel and other outlaws who were allowed to return to the district during the past year in order to have their cases settled, the permission having been given on political grounds at the time of our occupation of the Tochi Valley. Even making allowance for cases of the kind the number of murders annually occurring in the district is large; the matter is one that requires, and will receive, special attention. It is satisfactory to note that 53 murder cases were brought to trial during the year; this number includes several cases of previous years, in which outlaws were, as above explained, induced to come to have their cases settled. The proportion of convictions in murder cases is also satisfactory.

Convictions were obtained in 7 out of 10 cases decided by the Court of Session and in 18 out of 34 cases decided by Jirga.

III.—OFFENCES CLASSIFIED—LOCAL AND SPECIAL LAWS.

SESSIONS JUDGE, DERAJAT.

(Mr. R. L. Harris).

Under the Arms Act the statements show 11 cases in the Dera Ismail Khan district and 16 cases in the Bannu district returned as true, and none in the Dera Ghází Khan district. In Bannu the Bannuchi knife or dagger is a fruitful source of violent crime. It is a most

deadly weapon, and with regard to it a systematic disarming would be productive of good results. This knife is commonly used only as a weapon of offence in the Bannu district and part of the Dera Ismail Khan district. The sword, on the other hand, is the usual instrument of murder in the Dera Ghází Khán, and Muzaffargarh districts. Having regard to the now peaceful border land in the Dera Ghází Khan district i seems high time to turn the swords of the population of that district into ploughshares b an inclusion of swords in the proviso as to pistols and daggers in Government of India Notification No. 29, dated 9th January 1891. The total absence of swords and knives would certainly lessen the number of serious offences affecting the human body. There appears to me to be also very little reason why the Arms Act should not apply in its entirety to the whole of the Dera Ismail Khan and Bannu districts. Of course this may be question for argument, but I do not believe the possession of arms by the population in the plains is a reason for cessation of border raids.

IV.—OFFENCES CLASSIFIED—MISCELLANEOUS PROCEEDINGS.

DISTRICT MAGISTRATE, KARNAL.

(Mr. P. D. Agnew).

It is satisfactory to be able to remark that the number of persons called upon to pay compensation under section 560, Criminal Procedure Code, increased from 20 to 40. The proportion is still very small, when we consider the mass of frivolous complaints which are lodged in the Courts, but the results show that the desirability of checking complaints of the class by the judicious application of section 560 has not been lost sight of. I would, however, offer one or two remarks on the difficulties which a Magistrate experiences in applying the provisions of this section to any given case. In the first place, a Magistrate before awarding compensation has to assure himself that the complaint is really frivolous and vexatious. Now in the vast majority of petty cases we may substitute for the epithets "frivolous or vexatious" the word "false," and if a complaint is false the person who lodges it and supports it by perjury should be prosecuted for the latter offence. We know that any such prosecution would fail in 99 cases out of a 100, and if the proof is not sufficient to warrant a conviction for perjury, why should it be sufficient for the Magistrate to say, definitely, that the complaint is false? There is almost always an element of uncertainty, and the above is the view which most Native Migistrates have in their minds when they hesitate to award compensation under section 560.

In the second place, not a few of the petty complaints dismissed by the Court relate to a genuine grievance brought to notice in a wrong way. The drafting of a petition, and, too often, the form in which a complaint shall be made are the work of the petition-writer, and it is to persons of the latter class rather than directly to the ignorant complainants themselves that we must ascribe a large proportion of the complaints whose untruth and exaggerations make them appear false to the Courts. Examination of the complainant does not remedy the evil, for the man has been instructed beforehand and sticks to his story.

DISTRICT MAGISTRATE, LUDHIANA.

(Mr. H. A. Rose).

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I am not much in favour of crusades against bad characters under section 110 Criminal Procedure Code, as I regard the device as a clumsy one in this class of case It is an excellent thing in section 107 cases.

In the first place, a man has nearly always to purchase the security. In one case, a lambardár's son gave security and openly took a bond for the amount.

It is not uncommon for a lambardár to get a man put on security and then to give the security demanded himself. He profits in two ways: in the first place, he has the man more or less at his mercy, not merely for the period of security, but afterwards; in the second place, he obtains cash down, or a bond for the amount of security he makes himself liable for and runs very little risk of forfeiture. I have accordingly impressed on Magistrates the necessity for so framing the notice under section 112, Criminal Procedure Code, as to render Government officials inadmissible as sureties. In the first place, the duties of a lambardár are incompatible with his liability as surety, and in the next, the acceptance of a lambardár as surety gives lambardárs, generally, an interest in getting men put on security. It is very curious that our Native Magistrates do not see below the surface in these matters, and, indeed, it often happens that a security is accepted without sufficient enquiry. For instance, in one or two cases one man already on security has been accepted as surety for another. The District Magistrate is, unfortunately, powerless in such cases.

While, however, the present system is maintained it is essential to take sufficient security and for a sufficient period.

I venture to think that the system of taking security in the cases specified in section 110, Criminal Procedure Code, has been a failure. We need very urgently a system of legalised police surveillance with some adaptation of the provisions of the Criminal Tribes Act. There is, I find, a *de facto* but unauthorized system of surveillance of bad characters. This, however, is not the place to discuss it or to make any but brief suggestions on amendments of the law.

* * * * *

It has been said that the first duty of a Court of law is to prevent any abuse of its own procedure. Sir Henry Maine once wrote that the statistics of false complaints in India almost justified the opinion that it would be better to close our Courts entirely than to permit them to remain the instruments of private malice which they tended to become.

I have, accordingly, continued Mr. Kennedy's system of having a monthly statement of complaints dealt with under section 560 sent up to me by each Magistrate, and in cases in which a Magistrate finding a complaint false or groundless has failed to award compensation I have asked him to state the reason for the omission.

The statement below shows how far section 560, Criminal Procedure Code, has been utilized.

Year.	Number of cases.	Number of convictions.	Amount of compensation awarded and paid.
			Rs.
1893	15	15	91
1894	89	56	166
1895	193	193	1,678

This seems fairly satisfactory. It is not possible or desirable to award compensation in every frivolous and vexatious complaint. Complainants are often more ignorant than malicious. But the award of compensation in one false case may deter several complainants from vexatious recourse to the Criminal Courts.

DISTRICT MAGISTRATE, MONTGOMERY.

(Diwan Narendra Nath, M.A.).

The number of frivolous or vexatious complaints summarily dealt with has decreased by 11. Considering the number of false cases and false complaints in this district nothing could be more desirable than a more frequent recourse to section 560 of Criminal Procedure Code. However, I find that the expression "frivolous and vexatious complaints" as used in section 560, Criminal Procedure Code, is so vague that, unless Magistrates are themselves inclined to suppress improper recourse to Criminal Courts on the part of the people, there is so much room for argument in a particular case not being regarded as a frivolous or vexatious one, that it becomes difficult to find fault with a Subordinate Court for not applying the section. If the expression "frivolous and vexatious" means that the case must have some element of falsity, it is well known that to prove a case or a portion of it to be false is more difficult than to prove it to be true, as, in the former case, it very often amounts to proving a negative. If the expression includes the idea of a hasty recourse to Court without having proper evidence to support the charge, then it must be admitted that the witnesses of these days are so liable to be tampered with and so easily become subject to all sorts of extraneous influences that a true complaint may not be supported by witnesses who were actually eye-witnesses of the event which is the subject of the complaint. In my opinion the expression includes both these ideas to some extent, and much depends on the wise discretion and practical insight of the Magistrate who deals with the case, and a controlling Magistrate can do no more than to direct the attention of the Subordinate Courts to this provision of the law in general terms.

DISTRICT MAGISTRATE, DERA ISMAIL KHAN.

(Mr. T. H. Homan).

The result of the introduction of the plan of having a monthly memorandum of the number of cases, in which payment of compensation for frivolous complaints had been ordered, sent to the District Magistrate, has been that compensation amounting to Rs. 483 under section 560, Civil Procedure Code, was awarded to 62 persons as against Rs. 165 and 20 persons in the past year. Some of the Magistrates are still slow to award compensation, and their attention has again been drawn to the matter.

V.—GENERAL RESULT OF INQUIRIES AND TRIALS

SESSIONS JUDGE, AMRITSAR.

(Mr. T. Troward).

With reference to the remarks of his Honor the Lieutenant-Governor, in paragraph 3 of his Proceedings in the Home (Judicial) Department No. 138 of 29th January 1896, on the low proportion of convictions to cases brought to trial, if I might speak from my own experience, I would suggest the following explanations. A number of the cases brought before the Courts are cases where the evidence affords such strong grounds for *suspicion* that no one outside of a Court would have any hesitation in saying the man was guilty. But still suspicion however strong is not legal proof; though the evidence often goes so near proof that the police could not discharge the offender on their own responsibility. Again, every Subordinate Court stands in awe of the Appellate Court above it, and the presiding officer argues thus: "I am morally convinced the accused is guilty, and if I alone had to be consulted as to the justice of the case I would sentence him; but judging by my past experiences I am equally convinced that if I do convict him he will get off in appeal or revision, and so I may as well let him off at once and save myself from earning the reputation of always having my sentences reversed." What is the proper remedy for these two difficulties I am unable to say; but I have no doubt, judging from a long experience, that these are the chief causes of the small proportion of convictions.

SESSIONS JUDGE, DERAJAT.

(Mr. R. L. Harris).

I believe the difference in percentages for different districts to be more due to the degree of hardiness in lying of the population and success in concealment of crime than to peculiarities of the Magisterial staff (which is constantly varying), and the efficiency or want of efficiency in the police. It is at first indeed remarkable to find in a district like Dera Gházi Khan such a high percentage of convictions where, I know from experience, it is so hard to get reliable evidence at Sessions trials. The number of confessions, however (particularly before Honorary Magistrates), is very large in that district in ordinary warrant-cases. This habitude of confession by the Beloch tribes to their own *tumandárs* is in striking contrast to the wónderful power of invention of the Pathán criminal at a moment's notice, who, when invention fails, remains mute. Both Beloch and Pathán are in their criminal character very different to the Cis-Indus criminal.

VI.—AGENCY BY WHICH CRIMINAL WORK WAS DISPOSED OF.

DISTRICT MAGISTRATE, LUDHIANA.

(Mr. H. A. Rose).

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Number of files of cases of Subordinate Courts called for and inspected by District Magistrate—

Year	No. of cases called for	
1893	...	
1894	60	
1895	170 Mr. Kennedy, 913 Mr. Rose,	See Statement No. VI.
	1,083	

Acting on a suggestion of the Commissioner, I have directed that all files of cases in which an accused is not convicted should be sent to my office. The Superintendent, Vernacular Office, looks through the cases of 2nd and 3rd Class Magistrates, and brings to my notice cases in which there are errors of procedure, unjustifiable issue of process, unnecessary reference to police under section 202, Criminal Procedure Code, failure to use section 560 of the Code, and so on. I personally take up cases chalaned by police, or under section 193, Indian Penal Code, section 182, &c., not cases under section 498, Indian Penal Code, or section 488, Criminal Procedure Code, &c., which are not offences of a public nature. By this means, though it involves intolerable labour, I have got some experience of how the Codes are falling into disuse.

There is a marked tendency in our Courts to get into grooves, and, in some instances, these grooves are not in accordance with the spirit of the Codes. I know few Magistrates who are masters of procedure, but many seem to be completely mastered by it.

For instance, in cases instituted on complaint our Courts tend to become automata. The complainant files a complaint, his statement is taken down by a moharrir, process issues against the accused, and the complainant thus gains his first and perhaps chief object, which was to frighten and harass the accused. It is very difficult to get Magistrates to realize that it is a punishment to be summoned into Court, and that the Code does not contemplate the infliction of the punishment without some justification.

Again, I know of no Magistrate in this district who observes the sections of the Indian, Penal Code on private defence. In cases of riot some Magistrates punish both sides, some neither. The man who takes the law into his own hands is not more severely treated than the man who is attacked. To the action of the Magistrates in this respect I directly attribute much of the lawlessness which is increasing in this district.

A glance at the returns will show how seldom sections 334 and 335, Indian Penal Code, are used section 106, Criminal Procedure Code, is a dead letter I could cite other examples. It is not too much to say that many Magistrates learn a score or so of sections by heart and attempt no further progress. I am afraid few of them look at the Evidence Act, and circumstantial evidence carries no weight. The people excuse the prevalence of perjury to our Courts. They say the Courts do not decide on the facts but demand direct oral testimony, and that they have to supply the demand or lose the case.

VII.—TRIALS UNDER FRONTIER CRIMES REGULATIONS.

DISTRICT MAGISTRATE, BANNU.

(Mr. R. E. Younghusband).

The working of the Jirga system in Bannu is a matter in regard to which very different opinions are held. It is sometimes said that a Wazíri Jirga will seldom or never convict, and a custom has grown up of appointing men from other tahsíls to form Jirgás for cases in which Wazírs are concerned. This is a practice which may with advantage be followed in exceptional cases and especially in cases between Wazírs and Bannuchís, but it should, in my opinion, be restricted to such cases. In my opinion when a case concerns a single tribe, or section of a tribe, the Maliks of that tribe or section should, as a rule, be the Jirga in the case. If, however, we are to work through a tribe in this way, we must make some concessions to their way of looking at things. An act which falls within the definition of murder given in the Indian Penal Code may be justifiable homicide according to the ideas of the Wazírs, and we ought, I think, to make some allowance for this in awarding punishment and also to take into consideration the fact that compensation has been, or will be, made to the relatives of a murdered man or is not due by tribal custom. Unless we make some allowance for considerations of this kind Jirgás simply won't convict.

VIII.—PUNISHMENTS.

DISTRICT MAGISTRATE, LUDHIANA.

(Mr. H. A. Rose).

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It is much to be regretted that Magistrates do not utilize section 545, Criminal Procedure Code, more freely. We should have much less difficulty in getting crime reported if they were to do so. On the other hand, overreadiness to award compensation would, perhaps, encourage false cases and lead to hard swearing for the sake of it.

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The sentences passed by Native Magistrates are often capricious. There are few principles to guide them and insufficient thought is given to this important part of their duties. The imposition of a sentence is more of an executive than a judicial function, and I venture to think that there should be a power of enhancement and revision of sentences vested in the District Magistrate under the control of the Sessions Judge. The questions which arise in even simple cases of the degree of criminality will never be dealt with in a uniform way until some such power is conferred.

The increase in the number of sentences of whipping is, perhaps, not as satisfactory as the figures appear to show. Certain Magistrates get over the judicial Circular and the expressed wishes of Government on the point by imposing very light sentences, as low as five stripes.

Nevertheless, I am of opinion that it is preferable on first conviction to inflict even a very light sentence of whipping to a sentence of imprisonment.

Personally I should like to see a First Offenders Act passed as an urgent measure, in which it should be provided that the sentence on first conviction for all but a serious offence against property could, at the discretion of the District Magistrate, be suspended. Then I would render a sentence of whipping on second conviction for a similar offence compulsory (always provided the accused were physically fit) and not optional with the Magistrate. I think it would be difficult to go too far in keeping young casual offenders free from the contamination of our jails.

IX.—PROCEDURE.

SESSIONS JUDGE, UMBALLA.

(Colonel H. M. Wood).

The remarks made by the District Magistrate, Ludhiána, are interesting and deserve attention; no doubt the defects pointed out by him are to be found in many Courts. His remarks on the abuse by Magistrates of the power to order enquiry by the police given them by section 202, Criminal Procedure Code, are deserving of attention. There can be no doubt that this power is wrongly made use of in most cases, and that in very few cases, if any, does the Magistrate record his reasons for distrusting the truth of the complaint. There is a vast difference between cases in which this power might be reasonably exercised and the numerous frivolous and vexatious complaints that flood the Courts, and which a little careful examination by the Magistrate himself would at once show in their true colours, and a judicious award of compensation to the accused person would sensibly check. But Native Magistrates generally fail to observe any distinction between the two classes of cases. As the District Magistrate very rightly observes, the police have quite enough to do in enquiring into cognizable cases without having to do what the Magistrate himself ought to have done.

I have observed on more than one occasion a very reprehensible practice of some Magistrates of experience; and that is that the entire judgment is not written by the Magistrate himself. A *précis* of the evidence is written by someone else, presumably by the reader of the Court, and only the summing-up is in the hand of the Magistrate himself. I have hitherto refrained from reporting these cases to the Chief Court in the belief that the practice would cease if promptly noticed and the Magistrate censured by this Court; and this appears to be the case, as I have seen nothing more of the kind lately.

As to procedure, generally, I think, there has been a decided improvement during the year, many minor irregularities that formerly existed having disappeared.

DISTRICT MAGISTRATE, LUDHIANA.

(Mr. H. A. Rose).

It is characteristic of the failure of the Courts to work the Codes that, under section 349, Criminal Procedure Code, few cases continue to be sent up to the District Magistrate. However, two out of the three Tahsildárs have now power to inflict whipping, and, in part, the necessity for utilizing section 349 does not exist. I am constantly calling attention to the section, but Magistrates will not use it.

* * *

I find from the police returns that no less than 304 cases were sent to the police for enquiry under section 202, Criminal Procedure Code. The number of cases so referred in 1894 was 607, or 8 per cent of the cases reported, and this year (1895) only 4 per cent were so referred. Still I find frivolous complaints of petty theft continue to be referred by Magistrates. I have for 10 months out of the 12 under report been impressing on Magistrates the undoubted fact that the police have quite enough to do in investigating serious offences without taking up petty ones. I admit that a good many true cognizable cases are first instituted on complaint, or that complaints are filed because the police evade or refuse enquiry, but most of these complaints are filed in order to compel the police, under a Magistrate's order, to harass the accused by an investigation, and Magistrates should be much more chary of using section 202, Criminal Procedure Code, though I admit it saves a Court much labour.

A further illustration of the mechanical working of some Magistrates is to be found in the neglect of section 253, Criminal Procedure Code. Certain Magistrates take the evidence for the prosecution, frame a charge, and hear the defence. They then acquit the accused on the ground that the evidence for the prosecution is totally insufficient or untrustworthy. This is a terrible waste of power, to say nothing of the injury inflicted on the accused. To follow the same line, I may add that I never recollect to have seen a case sent up to the District Magistrate under section 249, Criminal Procedure Code, while, on the other hand, I know of one Magistrate who persistently refuses to try a case in which there is not a professed complaint, *e.g.*, under Section 193, Indian Penal Code, in direct contravention of section 252 of the Criminal Procedure Code.

DISTRICT MAGISTRATE, AMRITSAR.

(Mr. A. Kensington).

It would be a great saving of time and trouble to the District Magistrate if opportunity could be taken, whenever the Procedure Code is under revision, to modify the last clause of section 349, so as to admit of the trial of habitual offenders by a Subordinate Magistrate, subject to sentence by the District Magistrate within the limits of his enhanced powers under section 30. The present arrangement by which the District Magistrate, if he wishes to deal with an habitual offender under section 30 powers, must himself go through the labour of the trial, appears to me very inconvenient. These trials seldom present any difficult points of law or fact, while they take up much time which might be more usefully employed, and as far as discretion goes the District Magistrate would be as well able to decide on the proper amount of punishment with a record prepared by a subordinate, as if he had heard the whole case himself. If some such change as that suggested could be introduced it would be possible for the District Magistrate to keep the treatment of habitual offenders much more in his own hands than he can now possibly do.

SESSIONS JUDGE, RAWALPINDI.

(Mr. J. G. M. Rennie).

My predecessor instituted a system of unofficial correspondence with the Lower Courts in this district. Whenever any irregularity is detected a slip in English or Vernacular is sent to the Magistrate concerned. He gives his explanation, and a perusal of these slips at the end of the year enables the Sessions Judge to see at once what irregularities have been commonest during the year.

SESSIONS JUDGE, DERAJAT.

(Mr. R. L. Harris).

I have already drawn attention to the want of proper prosecution in Sessions trials, particularly where a Pleader is engaged for the defence, for a Judge is not quite in the position of a Magistrate as regards the trial, and naturally does not wish to identify himself with the prosecution, but rather to hold the scales.

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There appears no reason why a Public Prosecutor is less needful for this Division than for others in the Punjab.

X.—GENERAL.

SESSIONS JUDGE, UMBALLA.

(Colonel H. M. M. Wood).

There appear to be several factors tending to lower the percentage of convictions. Among these may be stated a rapidly increasing acquaintance with the law and the means of avoiding its operation among the people generally ; a clever local Bar ; and a tendency on the part of the Native Magistrates to be swayed by argument amounting to weakness.

Fines appear to be still too freely inflicted in cases under the Criminal Tribes Act. Generally speaking, a fine of any kind in such cases is inappropriate, as apart from the improbability of its ever being recovered, owing to the impecunious condition of the people concerned, it seems more likely to induce them to commit theft in order to recoup themselves. The question of dealing with these Criminal Tribes is a difficult one. Mr. Rose, District Magistrate, Ludhiana, is at present engaged in an extensive inquiry upon the subject, and he gives me to understand that some of the facts elicited are most unexpected and startling.

I fully concur in the remarks of the District Magistrate, Ludhiána, as to the undesirability of accepting zaildárs and lambardárs as sureties in cases under section 110, Criminal Procedure Code; *primâ facie* such should be accepted as excellent sureties; but Mr. Rose has, I think, shown very good grounds for refusing, as a general rule, the security of zaildár or lambardár. Mr. Rose's efforts to check frivolous complaints by the award of compensation appears from the table he has given under head 4 to have been most successful.

DISTRICT MAGISTRATE, GURDASPUR.

(Mr. J. R. Maconachie).

I need only remark here, in partial repetition of what has already been said above, that our criminal administration depends a good deal for its form and statistical dress on the whims of petition-writers. These gentry are not easily educated in correctness of diction and description of offence, and on this ground alone examination of details in our statements must be made with some reservation. The substitution of section 494 for section 498, Penal Code, is a well-known common trick to bring cases within the exclusive jurisdiction of the District Magistrate. Section 477, Penal Code, instead of section 417, Penal Code, though not at first easily perceived to be alike, is a new invention of some misguided penman. The trouble given by such substitutions is considerable even when the complaints are put right. I think a power of summary fine up to Rs. 5 on petition-writers might be given to District Magistrates. The other matter on which a note perhaps may be useful is the cumbrousness of our Court machinery in dealing with petty criminal offences. The great mass of our criminal statistics is made up of charges under section 352, section 323 and section 447, Penal Codes. I think summary powers might be given to selected rural notables of dealing with such cases, it being understood that the maximum of punishment they could inflict would be Rs. 10 or even Rs. 5. These men would become in fact petty Honorary Magistrates in power, but I would scrupulously avoid using the name. The fine should be leviable by attachment as in Civil process. This, or something like this, is what we want instead of procedure which entails a journey often of many miles to the Magistrate's Court, all the troubles and expenses consequent on having to run the gauntlets of touts and hangers-on of the Court, and after this all the delays and adjournments of the Magistrates. In petty cases (and it is these I am referring to) the 'game' (as at present-conducted) 'is not worth the candle.' If the proposal is considered too revolutionary it might be tried as an experiment in some selected area. Two notables should always act together, and if they did not agree no punishment should follow. It would soon be seen whether such a tribunal were popular in some places; I think it would be to the benefit alike of Government and people

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DISTRICT MAGISTRATE, LAHORE.

(Mr. A. Meredith).

The District Magistrate, in the larger districts, at any rate, requires some assistance in his criminal work, and this could be afforded in two ways—

(1) By making some alterations in column 8 of Schedule II to Act X of 1882. As a rule it is quite unnecessary for the District Magistrate to waste his time over cases of bigamy or over cases under Chapter XVIII, Indian Penal Code, forgery and its variations. If these cases were made triable by a Magistrate, the District Magistrate would have more time to devote to the more important class of criminal offences, burglary, serious hurt, and offences committed by previous convicts. In making over certain classes of cases to Magistrates, I would empower them to refer for sentence to the Sessions Judge cases in which they considered that punishment beyond their powers should be awarded, a measure that was contemplated by the Habitual Offenders Bill, which, it is matter for regret, has not yet become law.

(2) In the larger districts, such as Lahore, Ráwalpindi, Delhi and perhaps Umballa, by appointing additional District Magistrates, as on the frontier, where, as a rule, the work is not nearly so heavy as in many of the larger Cis-Indus districts. The District Magistrate would still retain his powers under section 30, but would be relieved by having an officer with equal powers to whom cases could be made over for trial. This would result in a number of cases during the year being disposed of by Magistrates having higher powers than at present, as cases could frequently be made over to 1st class instead of 2nd class Magistrates, and the deterrent effect would probably be considerable.

I strongly recommend the more general employment of skilled trackers throughout the Province; these should not be difficult to obtain, as in the Bár districts every man is more or less a tracker. The objection, I am aware, is that they will not enlist in the police for the small pay offered at present, as it pays them better to practise as professional trackers on their own account, but the remedy is easy to raise the pay to an amount sufficiently high to induce them to enter Government employ. The end would fully justify the means. I consider it most important that there should be a skilled tracker in every police-station in the Province, which is far from being the case at present.

DISTRICT MAGISTRATE, FEROZEPORE.

(Mr. E. B. Francis).

It would, I believe, have an immense effect on the criminal administration if cases sent up by a Subordinate Magistrate for enhanced punishment were credited to the Court which tried them instead of to the District Magistrate, for the Lower Courts work mainly with a view to what shows in the returns, and are very loth to give away a decided case to another Court by sending up the accused for enhanced punishment. Let this trifling matter be altered, as proposed, and they will send up as many cases as the District Magistrate can possibly find time to deal with.

DISTRICT MAGISTRATE, MONTGOMERY.

(Diwan Narendra Nath, M.A.).

If it could be possible to secure the full co-operation of zaildárs who, in general, have been selected with great care, and who have undoubtedly much influence in their respective circles in the suppression of crime and in bringing offenders to justice, the effect would, in my opinion, be very beneficial to the criminal administration of the district. I have proposed to the District Superintendent of Police to keep a proper record of the assistance rendered by each zaildár in the suppression of crime, so that at the end of the year we may have definite data of their work, upon which some petty rewards may be given to those who are able to show a good record, whilst those who have a bad record may receive proper punishment.

SESSIONS JUDGE, JHELUM.

(Mr. D. C. Johnstone).

The state of affairs commented upon by the District Magistrate of Shahpur is, in my opinion, the result of the strictness of our law of evidence and our strictness in interpreting it; and also in great measure of the disinclination of the public to aid in getting offenders punished. It is notorious also, and it is an every-day experience of Magistrates and Sessions Judges, that many true cases are spoiled by the efforts made by the police to round off and complete their cases by bringing in fabricated evidence, where genuine evidence is for any reason not forthcoming It is extremely difficult, for instance, for a Magistrate to convict where he is convinced that the so-called eye-witnesses are lying, even if there is no reason to disbelieve the circumstantial evidence. As an example of innocent co-operation by a Magistrate in this sort of thing, I may mention one case in which, on demand made by a Magistrate for further evidence and a remark that there were no eye-witnesses, the police supplied two such witnesses who, up to that time, had never appeared in the case. What the best remedy may be I cannot pretend to say; but I am profoundly distrustful of the Punjab Frontier Crimes Regulation, and I would not like to see it introduced in this Division. A free hand to District Magistrates in enforcing the responsibilities imposed by law on landowners, headmen, and chaukidars; punitive police posts where violent crimes are common; rewards to headmen and others for help given in detecting offenders; and even the fining of whole villages in which certain classes of crime are rife and usually escape detection—these seem to me the only safe measures we can properly take.

XI.—ANY OTHER SUBJECT.

DISTRICT MAGISTRATE, GURGAON.

(Mr. C. J. Hallifax).

I am glad to be able to record the fact that during the year there has been perfect co-operation in criminal matters between this district and the Native States of Bhartpur, Alwar and Nábha, and the neighbouring districts of the North-Western Provinces. At the

beginning of the year it was found that gangs of notorious offenders were harboured in Bhartpur, but after the Political Agent took charge of the stop (*sic*) a determined attempt to check them was made in connection with the Bichor case, and this, aggravated by the Jurera case, has resulted in the arrest and prosecution of all the leading bad characters, and the posting of punitive police along the Bhartpur side of the border and at Hathangáon in Gurgáon. The result has been that the Bhartpur-Gurgáon border is now quite quiet. The people of the villages near Bai and Meoli have also been carefully watched, and the Alwar marauders have been frightened by the punishment awarded to the leaders in the Chuharpur dacoity in 1894, so that we have had no difficulties on the Nuh and Ferozpur border of Alwar. The dacoity that took place at Pipli in Aligarh and the consequent consultation between officers of this district and Aligarh, and the judicial action taken against Gujars of this district under section 353, Indian Penal Code, and against both Gujars and Jats of Gurgáon and Aligarh under sections 110 and 107, Criminal Procedure Code, will, I think, have a very good effect.

DISTRICT MAGISTRATE, KANGRA

(Mr. A. Anderson).

In cases that have come before me on the original side and also in appeals I have occasionally wished to have the powers that Courts in England have of dismissing with a warning or of postponing sentences. We are governed very much by statistics, and such cases must be shown as convictions, and that is right, but the District Magistrate at least should have authority to discharge with a warning. I have sentenced to a few hours imprisonment, or to nominal fine; and thus the difficulty is got over. But there are cases where sentence might, with advantage, be postponed, and the accused allowed to go on the understanding that they will appear for judgment when called upon.

Cases that are really compromised might be shown as convictions for the purposes of our statements, and not shown against the police.

I would suggest also that an Act on the lines of the Forest Offenders Act might be passed for India. Women are not unfrequently sent to jail in this district when a warning would be sufficient. To guard against an abuse of the power of postponing sentence or of dismissal with a warning, the power might be given only to the District Magistrate and other specially selected Magistrates.

SESSIONS JUDGE, MOOLTAN.

(Mr. G. L. Smith).

I think there is a defect in section 413, Criminal Procedure Code. That section prescribes that there shall be no appeal (in convictions by certain Courts) when a sentence is passed of whipping only. The section does not state whether, when a sentence of imprisonment is substituted (under section 395, for one of whipping, an appeal will lie, though apparently from the nature of the case (the whipping being the original sentence) and from the analogy of the explanation to the said section (413) such an appeal would not lie.

Again, where a sentence of whipping only is passed by a 2nd Class Magistrate it is appealable, yet it has to be carried out at once (see Code and Calcutta High Court, 1864, 314). Hence the right of appeal is valueless, or at least it cannot redress the wrong already done. I think that so long as there is a right of appeal delay should be granted to enable the appeal to be made. (The subject is treated at length by the District Magistrate, Montgomery).

DISTRICT MAGISTRATE, JHANG.

(Captain M. W. Douglas).

In a backward district it is difficult to enforce the responsibilities of zaildárs and lambardárs, and in Jhang it is generally the case that they render but little assistance in the detection of crime. Endeavors are being made in this direction. Courts have been ordered to examine *zimmas* carefully with a view to seeing what share in the prosecution zaildárs and lambardárs have taken. Bi-monthly attendance of zaildárs at tahsil headquarters is being strenuously enforced, they have been ordered to keep diaries showing their procedure in investigation, to visit the villages in their *zails* constantly, to repair to the spot immediately on the occurrence of any serious offence, to prevent the disappearance of evidence, and in cattle-thefts especially to follow up tracks without delay and stop all private compromise—a favorite method of settling cases here.

The question is attended with special difficulties in this district, as the emoluments of zaildárs are unevenly distributed, and in some cases those with the greatest responsibilities receive the least adequate remuneration. It will be some time before the standard of the district can reach that of others, but it will doubtless advance *pari passu* with the transition from the pastoral to the agricultural condition, a change which the Chenáb Canal is rapidly effecting. When the nomadic tribes of the district are settled on lands the temptation to cattle-lift will be less and the chances of detection more certain.

DISTRICT MAGISTRATE, MONTGOMERY.

(Diwan Naréndra Nath, M.A.).

Under this head I wish to bring to the notice of the higher authorities once again the discrepancy that there is in the provisions of the Criminal Prcedure Code, which make a sentence of whipping when awarded by a 2nd Class Magistrate appealable to the District Magistrate (section 407, Criminal Procedure Code), but which are silent as to the manner in which the convicted person is to be treated before he appeals and after he has received the sentence. In the last hot weather when one of my Subordinate Magistrates was temporarily in charge of Jail, one Chhanga, convicted under section 379 and sentenced to whipping by a 2nd Class Magistrate, was sent to him for execution of sentence. He referred to me the question whether the prisoner should be given time to appeal which was allowed to him by law, and if so, where he was to be kept. On examining the Criminal Procedure Code, I found that there was no provision made for such cases. Sections 394 and 395 apply to cases in which the sentence cannot be executed on account of the prisoner's ill health, and could not apply to the case before me. I had therefore no other course but to order that the whipping should be executed at once. I could not order the release on bail of a prisoner convicted of a non-bailable offence, and I could not order his detention in Jail, as that would amount to giving imprisonment in addition to whipping.

Section 390, Criminal Procedure Code, no doubt provides that in cases in which mere whipping is awarded the Magistrate may fix the time at which whipping is to be inflicted. The time may, by a stretch of language, be made sufficiently long, so as to give to the prisoner an opportunity of appeal, but the question still remains unsettled, as to how the prisoner is to be treated in the *interim*.

If sentences of whipping, passed by 2nd Class Magistrates, were made non-appealable, that would no doubt make the Code consistent within itself, but I do not think it will be a change in the right direction. On the other hand, it will be undesirable to take away altogether the power of awarding the sentence of whipping from 2nd Class Magistrates. On the contrary, I think 2nd Class Magistrates who, in this Provinces, are generally Tahsildárs, should be freely invested with these powers if some improvement be effected in the mode in which the right of appeal in such cases may be exercised by convicted persons.

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I would therefore suggest that the following changes should be made in the existing law :—

(1). The time of limitation for appeal in cases of conviction by a 2nd Class Magistrate where the sentence given is that of mere whipping should be reduced to seven or ten days.

(2). A provision should be made in the Criminal Procedure Code to the effect that, in the cases referred to, the prisoner should be asked by the 2nd Class Magistrate whether he intends to appeal, and if he says that he does, he should be released on bail and should be produced by the surety after seven or ten days, whatever be the period of limitation, to have the sentence executed if he has not appealed.

(3). There should be no right of applying for revision to the High Court in any case in which mere whipping is awarded. The right is a perfectly useless one in cases in which mere whipping is awarded by a 1st Class Magistrate, and it is practically useless now when the sentence is given by a 2nd Class Magistrate. This provision will make the various parts of the Code consistent with one another.

I can foresee the objection that it would be to release on bail a prisoner convicted of a non-bailable offence, but I see no other course possible. To give him no option of procuring his release on bail would be practically to prevent him from appealing. A person who does not appeal would be better off than the person who appeals and has his sentence confirmed.

DISTRICT MAGISTRATE, GUJRAT.

(Sardar Muhammad Afzal Khan).

If a certain sum of money was placed in the hands of District Magistrate to grant suitable rewards to those headmen and others who aid successfully in criminal cases it would facilitate the detection of crime, and this measure would prevent these people from taking the side of their village people whom they, under the present circumstances, try to screen.

SESSIONS JUDGE, RAWALPINDI.

(Mr. J. G. M. Rennie).

I think there should be some summary method of dealing with false witnesses. There are cases in which perjury is so open and barefaced that it really amounts to contempt of Court and might very well be dealt with as such. The matter has often been alluded to, but the desirability of purifying our Courts of Justice of the mass of perjury with which they are corrupted is so great that I must be excused from referring to the subject. This measure if it did not put an end to false evidence altogether would, at least, free the Courts from the necessity of listening to and recording the preposterous tales they are compelled to consider.

SESSIONS JUDGE, PESHAWAR.

(Mr. H. Maude).

Under the heading of "Procedure" the District Magistrate of Hazára has remarked that the necessity for recording the statements of witnesses in answer to questions has been explained to police-officers, and they have been directed to put and record an opening question in their diaries before they record the statements. This remark does not appear in any way to refer to the procedure of the Criminal Courts, nor is it by itself quite intelligible, but as I happen to know that it relates to a matter of some importance connected with the administration of criminal justice, I desire to notice the subject.

There is a High Court ruling to the effect that unless a witness makes a statement to the police, under section 161 of the Code of Criminal Procedure, in answer to questions put to him by the police-officer making the investigation, he cannot be convicted under section 193, Indian Penal Code, of giving false evidence before that officer, because he is only bound to answer truly questions so put to him. The object of the District Magistrate's instructions to the police-officers of the Hazára District is, that if a witness makes two inconsistent statements, one before the police and the other as a witness in Court, he may be prosecuted and convicted on alternative charges without reference to the question whether the statement made in Court was true or false. I view with considerable misgiving the growth of a feeling among the masses that if once the police have recorded a statement alleged to be that of an individual, that individual will be liable to punishment if he makes an inconsistent statement afterwards in Court.

In the first place, the police have not the training to enable them to record evidence satisfactorily; in the second place, their object is to procure convictions, and not always to represent the real facts; and in the third place, it is putting a potent weapon into their hands if they are to be able to hold out the threat of punishment over the heads of persons who may venture to deny the truth of what the police have recorded as their original statements. This view is not merely mine; it was the opinion held by my predecessor, Mr. W. O. Clark, who considered the matter of sufficient importance to bring it officially to the notice of the Judges of the Chief Court, citing the experience gained in actual cases in support of his views: but, so far as the records of my office show, no reply was received to his communication. Mr. Clark observed that in many ways it had come to his notice that such a belief, as I have described, had become prevalent, and as he summed the matter up, if witnesses are to be nailed to their statements as recorded by the police, it is little use re-examining them in Court.